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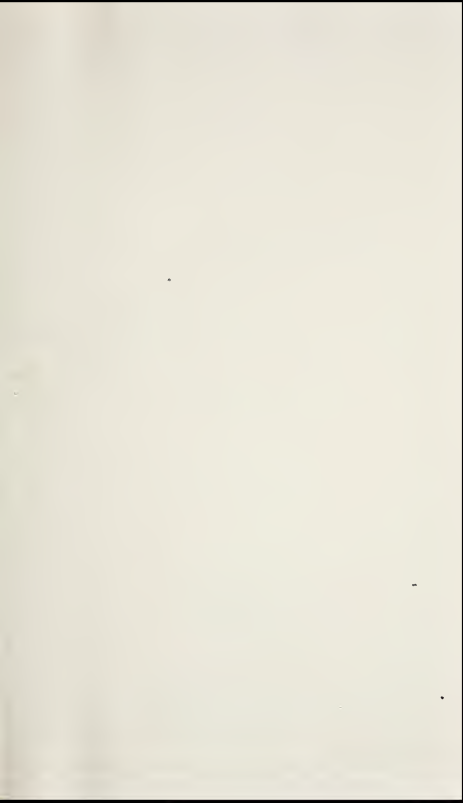
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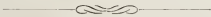


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INDEX OF  
GENERAL  
COURT MARTIAL  
ORDERS,  
U. S. Army.  
DEPARTMENT OF TEXAS.



1876.



San Antonio, Texas:  
ASSISTANT ADJUTANT GENERAL'S OFFICE,  
DEPARTMENT OF TEXAS.  
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NOTE.—General Court Martial Orders No. 43 is the last of the series of 1876.

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *December 13, 1876.*

[CIRCULAR.]

Hereafter as far as practicable, for trains operating in the interior of the Department, enlisted men will be detailed on "extra duty" as teamsters in the Quartermaster's Department.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*

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HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *December 11, 1876.*

GENERAL ORDERS {  
No. 19. }

Captain *James F. Gregory*, Corps of Engineers, having reported at these Headquarters in accordance with paragraph VII, Special Orders No. 237, current series, Headquarters of the Army, Adjutant General's Office, is assigned to duty as Chief Engineer Officer of this Department, relieving First Lieutenant *William Hoffman*, 11th Infantry, now in charge of Engineer Office.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *November 3, 1876.*

GENERAL ORDERS }  
No. 18. }

1. Sales of subsistence stores will be made as follows, viz: to officers (including retired officers), for the use of themselves and their families, and to commanding officers of companies, or other organizations, for the use of the messes of such companies or organizations.

2. The sale of subsistence stores to those not included in above paragraph, except to exploring and surveying expeditions especially authorized by law and under the provisions of General Orders from the War Department, No. 50, series of 1875, is strictly forbidden.

3. When an officer of the Army is absent from his family, his wife, or other member thereof, may, in his name, make such purchases on the same terms and conditions as the officer himself: *Provided*, that the officer shall, in writing, have notified the commissary at the place where the purchases are to be made that he has authorized such person to make purchases, giving his or her name and designation. Such notifications shall also state the number and designation of the persons composing the family of the officer.

4. The Subsistence Department is not to be understood as required to deliver stores or receive payment therefor elsewhere than at the subsistence storehouse.

5. A commissary may decline selling to any officer a greater quantity of stores than he believes proper for the persons composing such officer's family.

6. Officers purchasing stores from the Subsistence Department should, as far as practicable, procure them monthly.

7. Officers are prohibited from paying their boarding bills in orders for subsistence stores; nor will they give such orders to parties not entitled thereto under previous paragraphs.

8. It is not the intention of previous orders to deprive officers who are boarding of the right to purchase limited

amounts of subsistence stores for the personal use of themselves or families; but officers in charge of subsistence supplies will exercise a sound discretion in making these sales, and when the cost of supplies asked for exceeds the sum of ten dollars for each member of such officer's family the case will be submitted to the Department Commander for his action.

9. All sales will be made on the terms and conditions prescribed in paragraph 1229, Revised U. S. Army Regulations of 1863. Should, however, the officer in charge of subsistence supplies fail to collect cash for the stores as required by said paragraph, he will, at the end of each month, send to these Headquarters all unpaid bills of officers, in order that they may be forwarded to the Paymaster General of the Army, in accordance with paragraph No. 1144, Revised Statutes.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *November 2, 1876.*

GENERAL ORDERS }  
No. 17. }

Second Lieutenant *J. C. Ord*, 25th Infantry, is appointed and announced as Aide-de-Camp to the Brigadier General commanding the Department—to take effect November 1, 1876.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *October 25, 1876.*

GENERAL ORDERS }  
No. 16. }

For convenience of movement and concentration of troops, a District, to be known as the District of the Nueces, with headquarters at Fort Duncan, and embracing the posts of Duncan, Clark and San Felipe, is hereby established, and Lieutenant Colonel *W. R. Shafter*, 24th Infantry, is assigned to the command thereof.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *October 25, 1876.*

GENERAL ORDERS {  
No. 15. }

Department transportation is required to transport troops and authorized baggage of officers moving under orders and under special instructions from Washington; when not so engaged, to transport supplies instead of hired transportation; therefore applications for the diversion of Government transportation from its legitimate uses, for such purposes as the transportation of officers' furniture or families, returning from, or going on, leave, will not be considered, and post commanders will be governed accordingly.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *October 20, 1876.*

GENERAL ORDERS }  
No. 14. }

Proceedings of courts martial in certain cases recently received for revision at these Headquarters exhibit a culpable disregard of orders, and neglect of duty, requiring, instead of words, stringent measures for correction.

There is no excuse when prisoners are allowed to escape merited punishment because courts or judge advocates are not sworn before trial; because proceedings are closed and forwarded without being properly signed; or when a prisoner is tried by name and convicted, and another man is sentenced in his stead.

Hereafter, when proceedings of courts martial are forwarded to these Headquarters exhibiting either of the culpable neglects specified, charges will be prepared against the president and judge advocate of such court, and measures taken to bring them to trial.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*

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HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *October 11, 1876.*

GENERAL ORDERS {  
No. 13. }

1. Captain *C. B. Penrose*, Commissary of Subsistence, U. S. Army, having reported at these Headquarters in accordance with paragraph VI, Special Orders No. 51, current series, War Department, Adjutant General's Office, is assigned to duty and announced as Chief Commissary of Subsistence of this Department, and Purchasing and Depot Commissary of Subsistence at San Antonio, Texas.

2. At the end of the current month, he will receive from Captain *Herman Schreiner*, 9th Cavalry, Acting Chief Commissary of Subsistence of the Department, all public funds and property for which he is accountable.

3. Captain *H. Schreiner*, 9th Cavalry, having completed the transfer of his property, &c., and closed his papers, will take post at Austin, Texas.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
OFFICIAL: *Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *October 9, 1876.*

[CIRCULAR.]

The commanding officers of Forts Concho, Davis, McKavett, post of San Antonio and Fort Stockton will send at the end of each month, direct, to the Sheriff of Travis county, at Austin, Texas, a descriptive list of deserters from their commands.

The commanding officers of Forts Clark, Concho, Davis, Duncan, McIntosh, McKavett, post of San Antonio and Fort Stockton will send at the end of each month, direct, to the City Marshal (*John Dobbin*) of San Antonio a descriptive list of deserters from their commands.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *October 2, 1876.*

GENERAL ORDERS }  
No. 12. }

Hereafter, commanding officers of posts will not allow Government transportation to leave their posts for the purpose of going to rail or stage termini unless authority is obtained from these Headquarters, excepting in cases of paymasters on their own application, to signal officers as provided for in circular orders from these Headquarters, and that necessary for pursuit of deserters as far as may be deemed necessary; the term transportation includes ambulances.

Post commanders will be held strictly responsible that this order is complied with.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *September 22, 1876.*

GENERAL ORDERS {  
No. 11. }

So much of General Orders No. 1, series of 1875, from these Headquarters, as relates to furnishing lists of ordnance and ordnance stores on hand to the Chief Ordnance Officer of the Department, is hereby rescinded.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*

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HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *September 22, 1876.*

[CIRCULAR.]

Post commanders will report, with as little delay as practicable, whether in their judgment the interests of the service will be subserved by turning in the experimental intrenching tools and trowel bayonets now in the hands of troops under their command.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *September 14, 1876.*

[CIRCULAR.]

In order that the measurements may be verified, and errors corrected in the reports of target practice, post commanders will require company commanders to submit with their reports of target practice a diagram of the target, certified on its face by the officer present at the practice, showing the exact position of each hit, and accompanied by a scale by which measurements can be verified. These diagrams will be forwarded with the consolidated report to Department Headquarters.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *September 8, 1876.*

[CIRCULAR.]

Post commanders will cause to be furnished from their posts on requisition of the officer in charge of the construction of the military telegraph lines in this Department such aid in its construction and repair as can be done without detriment to the service, and the Quartermaster's Department will furnish such material and transportation as may be needed and can be properly supplied by that department.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *September 6, 1876.*

[CIRCULAR.]

I. Officers detailed on recruiting service at posts in this Department will report at end of each five days the number of men enlisted—giving arm of service—and regiment for which recruited, and disposition made of them. These reports will be sent direct to the Superintendents of the General Recruiting Service at Saint Louis and New York, and should be accompanied by descriptive lists and such other information as may be required. Abstract of the reports, showing number of men enlisted, arm of the service, and regiments for which recruited, will be forwarded to these Headquarters.

II. The following is the apportionment of enlisted men of regiments serving in this Department: Cavalry—8th and 10th Regiments, 1202 each; Infantry—10th and 11th Regiments, 545 each, and 24th and 25th Regiments, 305 each.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS MIL. DIV. OF THE PACIFIC,  
SAN FRANCISCO, *June 24, 1876.*

*To Commanding General,  
Department of Texas,  
San Antonio, Texas.*

SIR:—By direction of the Major General commanding, the following opinion of the Attorney General is communicated for the information of all concerned:

DEPARTMENT OF JUSTICE,  
WASHINGTON, *June 2, 1876.*

*Hon. J. D. Cameron,  
Secretary of War.*

SIR:—In reply to the letter of your predecessor, of the 6th of May, received upon the 8th, I would respectfully say that the clerk of a Quartermaster is so employed in the service of the United States as to be amenable to the jurisdiction of a Court Martial for any violation of the sixtieth Article, of the Articles of War—R. S., 235. The reasoning of General Schofield, in his communication, of which you have favored me with a copy, commends itself to my judgment, and leads me to the conclusion that it is substantially correct.

Very respectfully,  
Your obedient servant,  
[Signed.] ALFONSO TAFT,  
*Attorney General.*

The communication referred to by the Attorney General is as follows:

HEADQUARTERS MIL. DIV. OF THE PACIFIC,  
SAN FRANCISCO, *April 12, 1876.*

*To the Adjutant General,  
United States Army,  
Washington, D. C.*

SIR:—I desire to respectfully invite the attention of the Honorable Secretary of War to the question of military jurisdiction in the cases of certain crimes specified in the sixtieth (60) Article of War, when committed by "persons," other than officers and soldiers, "in the military service."

This question has arisen out of the case of a Quartermaster's clerk charged with forgery and alteration of transportation vouchers.

The question, whether this clerk could be tried by Court Martial, having been submitted to the Adjutant General of the Army, and referred by him to the Judge Advocate General, was returned with the following endorsement:

"BUREAU OF MILITARY JUSTICE,  
March 31, 1876.

Respectfully returned to the Adjutant General. Nothing can be clearer than that a 'civilian clerk' in the Quartermaster's Department is not amenable to military trial for any offense whatever in *time of peace*. Such a clerk might possibly become so amenable if serving with an army in the field, engaged in a warfare with hostile Indians, but under no other circumstances at this period.

[Signed.] W. M. DUNN,  
*Judge Advocate General.*"

With great deference I beg leave to suggest that many things are clearer than the above opinion of the Judge Advocate General, and the subject is of so great importance that I venture to submit the view which I had entertained of the law, and to recommend, if this view is incorrect, that appropriate legislation on the subject be requested.

The case seemed so clear to the Judge Advocate General that he did not give the reasons for his opinion, hence I can only judge what these reasons may be from those previously submitted to me by the Judge Advocate, Department of California, on which I endorsed the following remarks at the time:

"Nothing can be clearer than that the clerks in the several departments in Washington are in the service of the United States. Now as to the question, which are in the civil and which in the military service?"

The War Department proper is a civil department. The Secretary is its civil head, having direct relations to Congress, and the President as Chief Executive. The War Department is not a part of the army, nor of the 'land and naval forces.' The line of division between the War Department and the army, that is, between the civil and military branches of the War establishment, is not clearly drawn, and has always been a cause of discussion. But whatever doubt may exist on this subject, there can be none whatever that all persons serving *with the army* in the several Military Divisions or Departments, or in the field, belong to the army proper, and not to the War Department, or civil branch of the military service. All spies, guides, scouts, messengers, teamsters, clerks, etc., employed *with the troops*, are in the military service. And this is not less the case at Headquarters, where military operations are directed, than with the troops actually engaged.

The constitutional provision is no bar to this position. The 'land and naval forces' do not consist *alone* of officers and soldiers, but the several classes of persons enumerated are essential components of all armies, and are as much in the military service as are officers and soldiers. Even more, 'retainers to the camp,' such as sutlers, officers' servants, etc., are made subject to military discipline by the Articles of War. But guides, scouts, etc., are not 'retainers' but persons regularly employed in the *military service* as an essential part of the 'land forces.'

No greater blow could be struck at the efficiency of an army than by establishing the rule that the persons employed in the military service are not amenable to military discipline through Courts Martial.

The Courts of the United States have already held that Paymaster's clerks are subject to military jurisdiction. But a distinction is attempted to be made between these clerks and those of the Quartermaster's, based upon the fact that the former are employed under the authority of a general statute 'by and with the approbation of the Secretary of War.' Upon examination, this distinction clearly appears to be more imaginary than real, Quartermaster's clerks are also employed under authority of law, and by and with the approbation of the Secretary of War. The only difference is, that the authority is given in the one case by a general statute, and in the other by the annual appropriation bill. The Secretary of War makes no *appointment* in either case, but *authorizes the employment* in both. In one case the rate of compensation is fixed by law, and in the other it is regulated by the

War Department in view of the amount of annual appropriation and the number of the several classes of persons to be employed in the military service. These unimportant differences amount to nothing. As well might it be said that a private soldier is not in the military service because he is enlisted by an officer of the army, under general regulations, instead of by the Secretary of War, or by his special authority given for each individual case. The soldier is enlisted under general regulations, the Quartermaster's clerk is employed in the same manner.

The Paymaster's clerk is in no sense upon the footing of an officer or soldier. For example, when unable to attend to his duty, so that a temporary clerk has to be employed to do that duty, the regular clerk gets no pay. His status does not differ in any material respect from that of other employes in the military service. They are as much subject to military jurisdiction as he."

Since the receipt of General Dunn's decision, I have examined the matter still further, and must say, it seems to me, he has not given due weight to the new Article of War, No. 60.

By reference to the old "Article of War," No. 60, now numbered 63, it will be seen that the existence in the military service, that is, "serving with the armies of the United States," of "persons" other than officers and soldiers, has always been fully recognized by law, although such other persons were formerly not subject to the "rules and discipline of war," except when "in the field."

But now by the new 60th Article, "*Any person in the military service*" is made subject to trial by Court Martial for *certain specified offenses*.

This Article also clearly recognizes "other" "persons" in the military service besides officers and soldiers. In the last paragraph but one are found the words "any soldier, officer or *other person*, who is a part of, or *employed in*, said forces or service." Although these words are used as designating the persons from whom property may be wrongfully received, rather than those who wrongfully receive it, yet they are none the less conclusive as to the scope and meaning of the general term, "any person in the military service."

This term I respectfully submit must be held to include every person who is a part of, or *employed in*, said forces or service.

It will be observed that this 60th Article contains no qualification or restriction as to service "in the field" or elsewhere, nor as to time of peace or war.

But it denounces and makes punishable by Court Martial certain crimes when committed anywhere and at any time by any person in the military service, and they are in general precisely the crimes that are more likely to be committed by those "other persons" in the military service, than by officers or soldiers.

It seems to me impossible to conceive of a case more precisely provided for by the 60th Article of War than the forgery of a voucher by a clerk in the Quartermaster's office of a military department. Certainly there is no case where the wholesome restraint of military discipline is more necessary.

Hence, if I am wrong in my view of what the law is, I respectfully submit that the subject is of sufficient importance to justify an effort to have it amended.

I am not in favor of extending military jurisdiction beyond the constitutional limits, but I am unable to see any reason why persons employed with the army should not be subject to military discipline as well as those "belonging to it." The crimes of the one as well as those of the other are cases arising in the "land forces." The one as well as the other voluntarily submit themselves to the military jurisdiction and thus waive their right to trial by jury for all offenses over which Courts Martial have lawful jurisdiction.

Very respectfully,

Your obedient servant,

[Signed.] J. M. SCHOFIELD,

*Major General.*

Very respectfully,

Your obedient servant,

[Signed.] J. C. KELTON.

*Lieut. Col., A. A. G.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *August 29, 1876.*

GENERAL ORDERS {  
No. 10. }

In withdrawing the troops composing the command of Lieutenant Colonel *Shafter*, 24th Infantry, which has been in the field since April 10, 1876, the Department Commander expresses his satisfaction with the manner in which its duties have been done, and his gratification at the cheerful and energetic spirit displayed by its officers and enlisted men.

The country covered and scouted over is one presenting peculiar difficulties to the operations of troops—part of it was practically unknown, (and no good guides obtainable), broken and rough, and characterized in general by great scarcity of water and grass.

During the expedition two large camps of the hostiles have been completely destroyed, much stolen stock recovered, and a number of Indians killed. As a result it is believed that the marauding bands have been broken up, and the country bordering on Coahuila for the present relieved from their depredations.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *August 22, 1876.*

[CIRCULAR.]

The attention of post commanders and quartermasters is called to the liability of shortage in weight occurring in hay in warm and dry climate by drying. Investigation at each post will be made as to the relative weights of a cube of eight feet of hay (accepted as weighing one ton) at date of delivery and after it has been exposed at least one season.

Report of the result will be made to these Headquarters.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *August 17, 1876.*

GENERAL ORDERS {  
No. 9. }

At all posts in this Department, where there are more than one company stationed, the senior cavalry and infantry officers, exclusive of the post commander, will be detailed to superintend the school of officers in the instruction of the tactics of their respective arms of service. There will be at least two recitations each week and no officer will absent himself from them except by authority of his post commander.

Monthly consolidated reports, specifying progress, subject recited on, and giving names of all officers present, and the consolidated mark opposite each officer's name, showing the character of his recitations for the month, will be forwarded through post commander with his remarks thereon.

In the reports of recitations 3 will be the number taken for the maximum of proficiency at each recitation and 0 for the minimum; they will be accompanied by report of drills for same month, showing their number, character, &c., with such remarks of the post commander appended as may be called for.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *August 15, 1876.*

[CIRCULAR.]

For the information of all concerned, the best target practice of the companies in this Department, for the month of July, is hereby announced.

This circular will be read to the companies at the first evening parade after receipt.

<i>Distance.</i>	<i>Co.</i>	<i>Regiment.</i>	<i>Company Commanders.</i>	<i>Post.</i>	<i>Percentage of Hits.</i>
450 yards.	H	24th Infantry.	Capt. Gilmore.	Fort Brown.	78
400 yards.	A	24th Infantry.	Capt. Crandal.	Fort McIntosh.	54
300 yards.	K	11th Infantry.	Capt. Jackson.	Fort Richardson.	88
250 yards.	B	25th Infantry.	Capt. Bentzon.	Fort Quitman.	75
200 yards.	B	10th Infantry.	Capt. Bush.	Fort McKavett.	64
150 yards.	G	11th Infantry.	Capt. Schwan.	Fort Griffin.	57
100 yards.	B	11th Infantry.	Capt. Conrad.	Fort Richardson.	78

All the companies in the Department practiced during July, except those in the field with scouting expedition.

The attention of cavalry commanders is called to the above list of companies.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

THE UNIVERSITY OF CHICAGO  
DIVISION OF THE PHYSICAL SCIENCES

DEPARTMENT OF PHYSICS  
530 SOUTH EAST ASIAN AVENUE  
CHICAGO, ILLINOIS 60607

RECEIVED  
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[Corrected copy.]

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *July 22, 1876.*

[CIRCULAR.]

For the information of all concerned, the best target practice of the companies in this Department, for the month of June, is hereby announced.

This circular will be read to the companies at the first evening parade after receipt.

<i>Distance.</i>	<i>Co.</i>	<i>Regiment.</i>	<i>Post.</i>	<i>Company Commanders.</i>	<i>Percentage of Hits.</i>
450 yards..	I	24th Infantry..	Ringgold Barracks..	Capt. Armstrong ..	33
400 yards..	H	24th Infantry..	Fort Brown.....	Capt. Gilmore ..	70
300 yards..	K	11th Infantry..	Fort Richardson ...	Capt. Jackson ..	80
250 yards..	G	11th Infantry..	Fort Griffin .....	Capt. Schwan ..	59
200 yards..	H	11th Infantry..	Fort Concho .....	Capt. Gilbreath ..	60
150 yards..	K	25th Infantry..	Fort Davis .....	Capt. Tomkins ..	76
100 yards..	I	25th Infantry..	Fort Davis .....	Capt. Lawson ..	81
50 yards..	K	25th Infantry..	Fort Davis .....	Capt. Tomkins ..	77

All the companies in the Department practiced during June, except those in the field with scouting expedition.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

THE JOURNAL

OF THE  
ROYAL SOCIETY OF MEDICINE

Volume 100

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HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *July 19, 1876.*

[CIRCULAR.]

Hereafter when an officer serving in this Department is granted a leave of absence he will, on the day he takes advantage of it, report the fact to these Headquarters and also his address, monthly, while so absent.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

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[Corrected copy.]

# HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, July 14, 1876.

[CIRCULAR.]

For the information of all concerned, the best target practice of the companies in this Department, for the month of May, is hereby announced.

This circular will be read to the companies at the first evening parade after receipt.

Distance.	Co.	Regiment.	Post.	Company Commanders.	Percentage of Hits.
800 yards.	B	25th Infantry	Fort Quitman. ....	Capt. Bentzoni. . .	.39
750 yards.	B	25th Infantry	Fort Quitman. ....	Capt. Bentzoni. . .	.39
450 yards.	I	25th Infantry	Ringgold Barracks	Capt. Armstrong . .	.44
400 yards.	G	24th Infantry	Ringgold Barracks	Capt. Johnson. . .	.46
350 yards.	H	24th Infantry	Fort Brown. ....	Capt. Gilmore. . .	.81
300 yards.	K	11th Infantry	Fort Richardson. . .	Capt. Jackson. . .	.72
250 yards.	K	11th Infantry	Fort Richardson. . .	Capt. Jackson. . .	.83
200 yards.	C	11th Infantry	Fort Brown. ....	Capt. Sanderson . .	.86
150 yards.	I	25th Infantry	Fort Davis. ....	Capt. Lawson. . .	.80
100 yards.	I	25th Infantry	Fort Davis. ....	Capt. Lawson. . .	.85
50 yards.	I	25th Infantry	Fort Davis. ....	Capt. Lawson. . .	.94

All the companies in the Department practiced during May, except those at Fort Duncan and in the field.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

# 1. Introduction

The purpose of this study is to investigate the effects of the proposed system on the performance of the system. The results of the study are presented in the following sections.

2. Methodology

The study was conducted using a controlled experiment. The participants were divided into two groups: the control group and the experimental group. The control group used the standard system, while the experimental group used the proposed system.

The data collected from the experiment were analyzed using statistical methods. The results of the analysis are presented in the following sections.

Group	System	Time (s)	Accuracy (%)	Throughput (ops/s)
Control	Standard	120	95	100
Control	Standard	150	96	110
Control	Standard	180	97	120
Control	Standard	210	98	130
Control	Standard	240	99	140
Control	Standard	270	100	150
Control	Standard	300	100	160
Control	Standard	330	100	170
Control	Standard	360	100	180
Control	Standard	390	100	190
Control	Standard	420	100	200
Control	Standard	450	100	210
Control	Standard	480	100	220
Control	Standard	510	100	230
Control	Standard	540	100	240
Control	Standard	570	100	250
Control	Standard	600	100	260
Control	Standard	630	100	270
Control	Standard	660	100	280
Control	Standard	690	100	290
Control	Standard	720	100	300
Control	Standard	750	100	310
Control	Standard	780	100	320
Control	Standard	810	100	330
Control	Standard	840	100	340
Control	Standard	870	100	350
Control	Standard	900	100	360
Control	Standard	930	100	370
Control	Standard	960	100	380
Control	Standard	990	100	390
Control	Standard	1020	100	400
Control	Standard	1050	100	410
Control	Standard	1080	100	420
Control	Standard	1110	100	430
Control	Standard	1140	100	440
Control	Standard	1170	100	450
Control	Standard	1200	100	460
Control	Standard	1230	100	470
Control	Standard	1260	100	480
Control	Standard	1290	100	490
Control	Standard	1320	100	500
Control	Standard	1350	100	510
Control	Standard	1380	100	520
Control	Standard	1410	100	530
Control	Standard	1440	100	540
Control	Standard	1470	100	550
Control	Standard	1500	100	560
Control	Standard	1530	100	570
Control	Standard	1560	100	580
Control	Standard	1590	100	590
Control	Standard	1620	100	600
Control	Standard	1650	100	610
Control	Standard	1680	100	620
Control	Standard	1710	100	630
Control	Standard	1740	100	640
Control	Standard	1770	100	650
Control	Standard	1800	100	660
Control	Standard	1830	100	670
Control	Standard	1860	100	680
Control	Standard	1890	100	690
Control	Standard	1920	100	700
Control	Standard	1950	100	710
Control	Standard	1980	100	720
Control	Standard	2010	100	730
Control	Standard	2040	100	740
Control	Standard	2070	100	750
Control	Standard	2100	100	760
Control	Standard	2130	100	770
Control	Standard	2160	100	780
Control	Standard	2190	100	790
Control	Standard	2220	100	800
Control	Standard	2250	100	810
Control	Standard	2280	100	820
Control	Standard	2310	100	830
Control	Standard	2340	100	840
Control	Standard	2370	100	850
Control	Standard	2400	100	860
Control	Standard	2430	100	870
Control	Standard	2460	100	880
Control	Standard	2490	100	890
Control	Standard	2520	100	900
Control	Standard	2550	100	910
Control	Standard	2580	100	920
Control	Standard	2610	100	930
Control	Standard	2640	100	940
Control	Standard	2670	100	950
Control	Standard	2700	100	960
Control	Standard	2730	100	970
Control	Standard	2760	100	980
Control	Standard	2790	100	990
Control	Standard	2820	100	1000
Control	Standard	2850	100	1010
Control	Standard	2880	100	1020
Control	Standard	2910	100	1030
Control	Standard	2940	100	1040
Control	Standard	2970	100	1050
Control	Standard	3000	100	1060
Control	Standard	3030	100	1070
Control	Standard	3060	100	1080
Control	Standard	3090	100	1090
Control	Standard	3120	100	1100
Control	Standard	3150	100	1110
Control	Standard	3180	100	1120
Control	Standard	3210	100	1130
Control	Standard	3240	100	1140
Control	Standard	3270	100	1150
Control	Standard	3300	100	1160
Control	Standard	3330	100	1170
Control	Standard	3360	100	1180
Control	Standard	3390	100	1190
Control	Standard	3420	100	1200
Control	Standard	3450	100	1210
Control	Standard	3480	100	1220
Control	Standard	3510	100	1230
Control	Standard	3540	100	1240
Control	Standard	3570	100	1250
Control	Standard	3600	100	1260
Control	Standard	3630	100	1270
Control	Standard	3660	100	1280
Control	Standard	3690	100	1290
Control	Standard	3720	100	1300
Control	Standard	3750	100	1310
Control	Standard	3780	100	1320
Control	Standard	3810	100	1330
Control	Standard	3840	100	1340
Control	Standard	3870	100	1350
Control	Standard	3900	100	1360
Control	Standard	3930	100	1370
Control	Standard	3960	100	1380
Control	Standard	3990	100	1390
Control	Standard	4020	100	1400
Control	Standard	4050	100	1410
Control	Standard	4080	100	1420
Control	Standard	4110	100	1430
Control	Standard	4140	100	1440
Control	Standard	4170	100	1450
Control	Standard	4200	100	1460
Control	Standard	4230	100	1470
Control	Standard	4260	100	1480
Control	Standard	4290	100	1490
Control	Standard	4320	100	1500
Control	Standard	4350	100	1510
Control	Standard	4380	100	1520
Control	Standard	4410	100	1530
Control	Standard	4440	100	1540
Control	Standard	4470	100	1550
Control	Standard	4500	100	1560
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Control	Standard	4620	100	1600
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Control	Standard	4680	100	1620
Control	Standard	4710	100	1630
Control	Standard	4740	100	1640
Control	Standard	4770	100	1650
Control	Standard	4800	100	1660
Control	Standard	4830	100	1670
Control	Standard	4860	100	1680
Control	Standard	4890	100	1690
Control	Standard	4920	100	1700
Control	Standard	4950	100	1710
Control	Standard	4980	100	1720
Control	Standard	5010	100	1730
Control	Standard	5040	100	1740
Control	Standard	5070	100	1750
Control	Standard	5100	100	1760
Control	Standard	5130	100	1770
Control	Standard	5160	100	1780
Control	Standard	5190	100	1790
Control	Standard	5220	100	1800
Control	Standard	5250	100	1810
Control	Standard	5280	100	1820
Control	Standard	5310	100	1830
Control	Standard	5340	100	1840
Control	Standard	5370	100	1850
Control	Standard	5400	100	1860
Control	Standard	5430	100	1870
Control	Standard	5460	100	1880
Control	Standard	5490	100	1890
Control	Standard	5520	100	1900
Control	Standard	5550	100	1910
Control	Standard	5580	100	1920
Control	Standard	5610	100	1930
Control	Standard	5640	100	1940
Control	Standard	5670	100	1950
Control	Standard	5700	100	1960
Control	Standard	5730	100	1970
Control	Standard	5760	100	1980
Control	Standard	5790	100	1990
Control	Standard	5820	100	2000
Control	Standard	5850	100	2010
Control	Standard	5880	100	2020
Control	Standard	5910	100	2030
Control	Standard	5940	100	2040
Control	Standard	5970	100	2050
Control	Standard	6000	100	2060
Control	Standard	6030	100	2070
Control	Standard	6060	100	2080
Control	Standard	6090	100	2090
Control	Standard	6120	100	2100
Control	Standard	6150	100	2110
Control	Standard	6180	100	2120
Control	Standard	6210	100	2130
Control	Standard	6240	100	2140
Control	Standard	6270	100	2150
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Control	Standard	6360	100	2180
Control	Standard	6390	100	2190
Control	Standard	6420	100	2200
Control	Standard	6450	100	2210
Control	Standard	6480	100	2220
Control	Standard	6510	100	2230
Control	Standard	6540	100	2240
Control	Standard	6570	100	2250
Control	Standard	6600	100	2260
Control	Standard	6630	100	2270
Control	Standard	6660	100	2280
Control	Standard	6690	100	2290
Control	Standard	6720	100	2300
Control	Standard	6750	100	2310
Control	Standard	6780	100	2320
Control	Standard	6810	100	2330
Control	Standard	6840	100	2340
Control	Standard	6870	100	2350
Control	Standard	6900	100	2360
Control	Standard	6930	100	2370
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Control	Standard	6990	100	2390
Control	Standard	7020	100	2400
Control	Standard	7050	100	2410
Control	Standard	7080	100	2420
Control	Standard	7110	100	2430
Control	Standard	7140	100	2440
Control	Standard	7170	100	2450
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Control	Standard	7230	100	2470
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Control	Standard	7290	100	2490
Control	Standard	7320	100	2500
Control	Standard	7350	100	2510
Control	Standard	7380	100	2520
Control	Standard	7410	100	2530
Control	Standard	7440	100	2540
Control	Standard	7470	100	2550
Control	Standard	7500	100	2560
Control	Standard	7530	100	2570
Control	Standard	7560	100	2580
Control	Standard	7590	100	2590
Control	Standard	7620	100	2600
Control	Standard	7650	100	2610
Control	Standard	7680	100	2620
Control	Standard	7710	100	2630
Control	Standard	7740	100	2640
Control	Standard	7770	100	2650
Control	Standard	7800	100	2660
Control	Standard	7830	100	2670
Control	Standard	7860	100	2680
Control	Standard	7890	100	2690
Control	Standard	7920	100	2700
Control	Standard	7950	100	2710
Control	Standard	7980	100	2720
Control	Standard	8010	100	2730
Control	Standard	8040	100	2740
Control	Standard	8070	100	2750
Control	Standard	8100	100	2760
Control	Standard	8130	100	2770
Control	Standard	8160	100	2780
Control	Standard	8190	100	2790
Control	Standard	8220	100	2800
Control	Standard	8250	100	2810
Control	Standard	8280	100	2820
Control	Standard	8310	100	2830
Control	Standard	8340	100	2840
Control	Standard	8370	100	2850

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *July 13, 1876.*

[CIRCULAR.]

For the information of all concerned, the best target practice of the companies in this Department, for the month of April, is hereby announced.

This circular will be read to the companies at the first evening parade after receipt.

<i>Distance.</i>	<i>Co.</i>	<i>Regiment.</i>	<i>Post.</i>	<i>Company Commanders.</i>	<i>Percentage of Hits.</i>
700 yards..	B	25th Infantry..	Fort Quitman .....	Capt. Bentzoni.	..30
450 yards..	I	8th Cavalry ...	Ringgold Barracks.	Capt. Coster...	..22
400 yards..	G	8th Cavalry ...	Ringgold Barracks.	Capt. Fechet ...	..41
350 yards..	C	8th Cavalry ...	Ringgold Barracks.	Capt. Chilson ..	..63
300 yards..	H	24th Infantry..	Fort Brown.....	Capt. Gilmore..	..76
250 yards..	H	11th Infantry..	Fort Concho .....	Capt. Gilbreath..	..88
200 yards..	L	10th Cavalry ..	Fort Concho .....	Capt. Little.....	..80
150 yards..	I	25th Infantry..	Fort Davis .....	Capt. Lawson....	..73
100 yards..	I	25th Infantry..	Fort Davis .....	Capt. Lawson....	..81
50 yards..	I	25th Infantry..	Fort Davis .....	Capt. Lawson....	..90

All the companies in the Department practiced during April, except those at Fort Duncan.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY

ANALYSIS OF THE SAMPLE	
1. Name of the sample	...
2. Date of analysis	...
3. Name of the analyst	...
4. Name of the supervisor	...
5. Name of the institution	...
6. Name of the country	...
7. Name of the city	...
8. Name of the street	...
9. Name of the house	...
10. Name of the room	...
11. Name of the building	...
12. Name of the campus	...
13. Name of the university	...
14. Name of the state	...
15. Name of the country	...
16. Name of the continent	...
17. Name of the world	...
18. Name of the universe	...
19. Name of the cosmos	...
20. Name of the multiverse	...

...

...

...

...



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *July 8, 1876.*

[CIRCULAR.]

The attention of all officers on duty at these Headquarters is called to paragraph II, Circular of July 13, 1875, from same Headquarters.

When the Chief Quartermaster reports that the number of spring-wagons on hand will allow it, special directions will be given to cover cases which may require a modification of said paragraph.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

THE UNIVERSITY OF CHICAGO

THE DIVISION OF THE PHYSICAL SCIENCES

REPORT OF THE DIVISION OF THE PHYSICAL SCIENCES  
FOR THE YEAR 1961-1962

CHICAGO, ILLINOIS  
1962

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CHICAGO, ILLINOIS

CHICAGO, ILLINOIS

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CHICAGO, ILLINOIS

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *July 1, 1876.*

These Headquarters, and the offices and depots connected therewith, will be closed on Tuesday, the 4th of July—the 100th anniversary of the Independence of the United States of America.

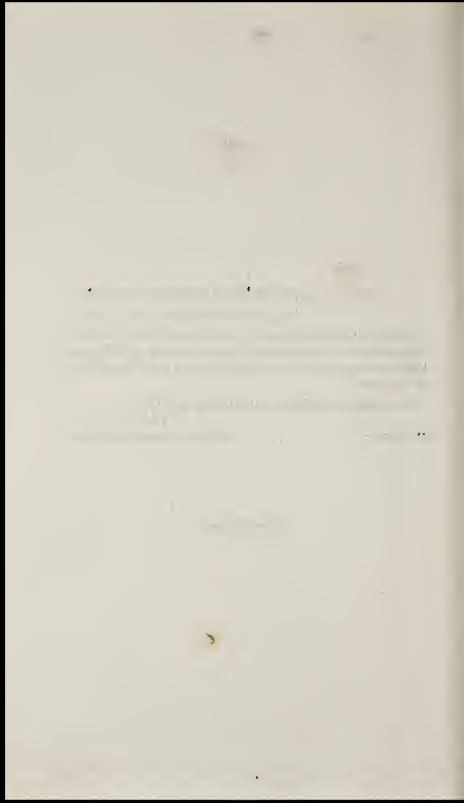
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 24, 1876.*

[CIRCULAR.]

To enable the Department Commander to prepare the estimates required by Circular dated Headquarters of the Army, May 6, 1876, the chiefs of the several staff departments will prepare estimates for amounts required in each, as indicated in the circular referred to, and transmit them to these Headquarters not later than July 31, 1876.

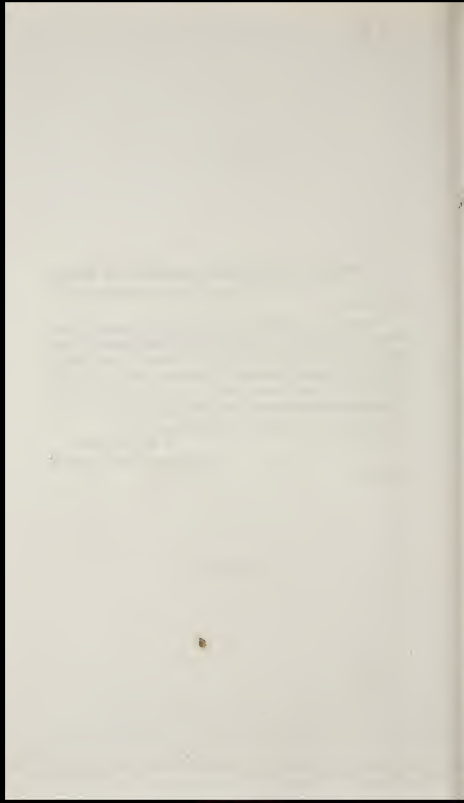
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 24, 1876.*

GENERAL ORDERS }  
No. 8. }

The working force in the Quartermaster's Department, such as mechanics and laborers, will be classified at a *per diem*, instead of a monthly compensation, on and after the 1st proximo, and all work required to be performed over the legal working day will be paid for at a *pro rata* rate for laborers and mechanics at the depot and for extra duty men similarly employed at posts in this Department.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 14, 1876.*

GENERAL ORDERS {  
No. 7. }

So much of General Orders No. 15, series of 1871, from these Headquarters, as modifies paragraph VIII, General Orders No. 35, series of 1870, from these Headquarters, is hereby rescinded.

Hereafter, all property on arrival at the post for which it is intended, and before passing into the possession of the receiving officer, will be examined by a Board of Survey.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 13, 1876.*

[CIRCULAR.]

The following letter from Headquarters of the Army is published for the information of all concerned:

HEADQUARTERS OF THE ARMY,  
ADJUTANT GENERAL'S OFFICE,

*Washington, June 6, 1876.*

*To the Commanding General,  
Department of Texas,  
San Antonio, Texas.*

It is reported to the General of the Army that mounted officers keep in service public horses and at the same time draw forage for private horses. This cannot be allowed, nor must they use public animals, except as authorized by the Army Regulations.

These officers receive by law higher pay than foot officers for the express object of enabling them to purchase horses and equipments, and they are expected to continually provide themselves with these indispensable requisites for the performance of their duties.

When, however, through the casualties of service on the frontier or in the field, they become dispossessed of their horses, mounted officers will (unless they prefer to replace them from other sources) make immediate application to their commanding officers for authority to purchase public horses, in conformity with Paragraph 1143, of the Army Regulations for 1863.

Should the commanding officer, in a particular instance, deem it detrimental to the service to give such authority, and the exigencies of the occasion render it necessary for the proper discharge of the officer's duties, he will be allowed to take a public horse and equipments for temporary use. He will not, however, during the period of such use be permitted to draw any forage allowances for private horses.

Commanders of posts, companies and detachments should be held responsible that the requirements of this order are strictly enforced, and should take prompt official action upon all violations of the same.

BY COMMAND OF GENERAL SHERMAN:

(Signed.)

E. D. TOWNSEND,  
*Adjutant General.*

Post commanders will be held responsible that the requirements of this order are strictly enforced.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

RESEARCH REPORT

NO. 100

1960

BY

J. D. JARVIS

AND

R. L. JARVIS

PHYSICS DEPARTMENT

UNIVERSITY OF CHICAGO

CHICAGO, ILLINOIS

1960

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 2, 1876.*

[CIRCULAR.]

Circular of May 4th, current series, from these Headquarters, is modified so as to render Inventory and Inspection Reports, hereafter, in triplicate, and the officer who witnesses the destruction of the property will, after signing the certificates thereon, return *one copy* to the Acting Assistant Inspector General of the Department.

Requisitions will at once be made to the Adjutant General of the Army for the new form of Inventory and Inspection Reports adopted January 2, 1876.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

# THE HISTORY OF THE

REPUBLIC OF THE UNITED STATES OF AMERICA

FROM THE FIRST SETTLEMENTS TO THE PRESENT TIME  
BY JAMES M. SMITH  
VOLUME I  
THE FOUNDING OF THE NATION  
FROM 1492 TO 1789  
NEW YORK: THE PUBLISHERS OF THE HISTORY OF THE UNITED STATES OF AMERICA  
1892

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1892

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 1, 1876.*

GENERAL ORDERS }  
No. 6. }

The attention of post commanders in this Department is called to paragraphs III and IV, General Orders No. 19, from these Headquarters, series of 1870, the requirements of which will hereafter be strictly complied with.

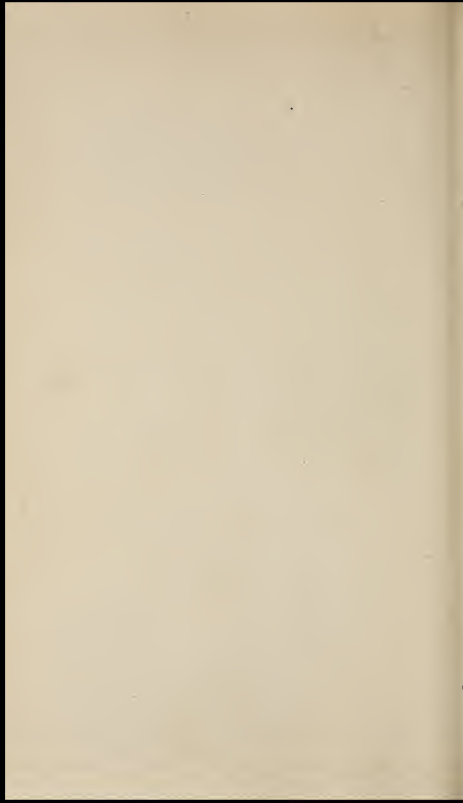
By COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *May 20, 1876.*

[CIRCULAR:]

Proceedings of Courts Martial received at these Headquarters show frequent acts of violence on the part of soldiers against their comrades, using their arms for this purpose.

Paragraph 1, General Orders No. 19, series of 1872, from these Headquarters, require that the men's arms shall be kept in the arm racks, except when the soldier is going on, or actually on duty.

Hereafter, post commanders will report on each bi-monthly inspection report whether the arms of the enlisted men, including pistols and sabres, at the post are kept locked or not, and, if not, the reason for the failure.

In case there are not sufficient padlocks, or material for armracks, requisitions for such will be made at once.

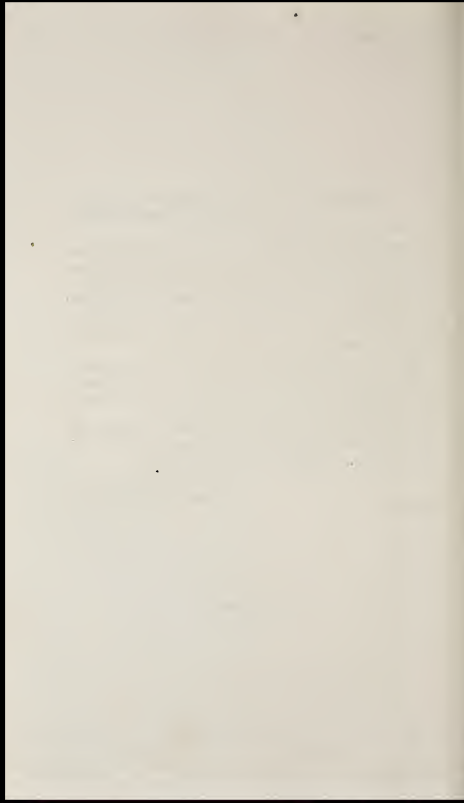
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *May 4, 1876.*

CIRCULAR:

Hereafter, the four copies of Inventory and Inspection Reports of property, on which articles are recommended to be dropped from returns and destroyed, will be returned to the officer directed to superintend the destruction, who, after the property is destroyed, will sign the printed certificates on the back of the reports, and furnish the responsible officer two copies, mailing the remaining copies direct to the Acting Assistant Inspector General of the Department.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *April 25, 1876.*

CIRCULAR:

Post and company commanders will report, with as little delay as practicable, to these Headquarters, the "service numbers" of all rifles and carbines for which they are responsible.

The number will be found stamped on the barrel immediately in rear of the receiver.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *April 7, 1876.*

GENERAL ORDERS }  
No. 5. }

General Orders Nos. 11 and 20, dated Headquarters Department of Texas, June 29 and December 13, 1875, is amended to read: a district to be known as the District of the Rio Grande, with Headquarters at Fort Brown, and embracing the posts of Brown, Ringgold and McIntosh, with their dependencies, is hereby established, and Colonel *J. H. Potter*, 24th Infantry, is assigned to the command thereof.

All official communications for superior Headquarters will be forwarded through the District Commander.

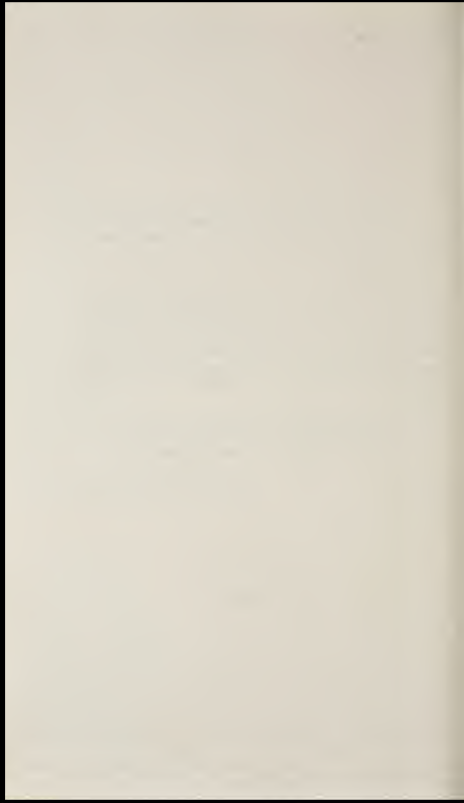
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *March 24, 1876.*

GENERAL ORDERS {  
No. 4. }

So much of paragraph I, as establishes the Third Pay District, and paragraphs II, III, IV and V, General Orders No. 2, current series, from these Headquarters, as relates to the Third Pay District, is revoked.

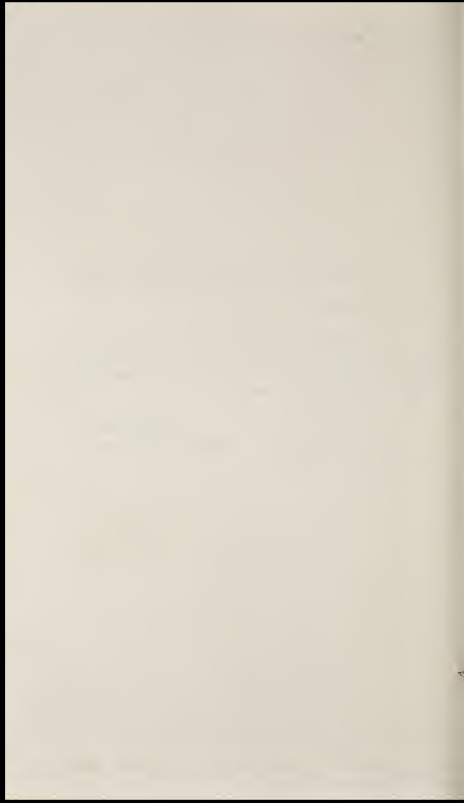
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *February 24, 1876.*

GENERAL ORDERS }  
No. 3. }

General Orders No. 21, Headquarters Department of Texas, series of 1871, is revoked, and the following substituted therefor:

I. The following returns and reports will hereafter be made quarterly to the Chief Quartermaster:

1. A return of quartermaster's stores—Form 27, formerly Form 23.

2. A return of clothing, camp and garrison equipage—Form 51.

3. Abstract "D" without vouchers—Form 28, formerly Form 24.

4. A consolidated report of horses, mules and oxen, made in accordance with General Orders No. 42, Quartermaster General's Office, Washington, D. C., October 26, 1868, and Circular Letter, dated Chief Quartermaster's Office, Headquarters Department of Texas, August 8, 1873.

5. A report of buildings, public or private; giving size, condition, location of post, the number of buildings erected, dimensions, and kind of material used in their erection.

6. A report of payments made on account of rail, river, stage and wagon transportation.

II. In addition to the foregoing, the following returns and reports will be forwarded monthly:

1. On the first day of each month, a personal report from all officers serving in the Quartermaster's Department during the month preceding, with rank, station and duties performed by each. Officers being relieved or assigned to duty in the Quartermaster's Department, will immediately send a copy of the order to the Chief Quartermaster.

2. A report of transportation orders (in duplicate) showing the number received, issued, canceled by error (these orders must accompany the report) and remaining on hand, together with a statement of the amount of transportation furnished during the month. Officers, on being relieved

from duty in the Quartermaster's Department, and having in their possession transportation orders, will transfer the same to their successors, taking the proper receipts (in duplicate) therefor, one copy of which will be forwarded for the files of the office of Chief Quartermaster; but in case of discontinuance of a post, the Quartermaster thereat will immediately transmit the orders in his possession to the Depot Quartermaster at this place, who will furnish receipts for the same.

3. An estimate of funds required for the use of the Quartermaster's Department, made in accordance with General Orders No. 68, Adjutant General's Office, Washington, D. C., series of 1871, approved by the immediate commanding officer, to be forwarded so as to reach the office of the Chief Quartermaster by the first of the month preceding the month for which the funds are required.

4. A "Statement of Outstanding Debts," made in accordance with General Orders No 5, current series, Adjutant General's Office, Washington, D. C., to be forwarded in time to reach the office of Chief Quartermaster by the last day of the month for which the funds are required.

5. Report of persons and articles hired, (in duplicate)—Form 1.

6. Roll of extra duty men—Form 3.

7. Account current—Form 7.

8. Report of expenditures authorized, incurred and paid from appropriation for Barracks and Quarters.

9. Report of expenditures on account of United States Post Hospitals.

III. The reports called for in sections 4 and 6, paragraph I, and sections 1, 2, 7 and 8, paragraph II, will be forwarded so as to reach the office of the Chief Quartermaster on or before the 15th of the month succeeding the month or quarter for which they are rendered, they being required for consolidation; the other reports to be forwarded so as to reach the office of the Chief Quartermaster within twenty days after the expiration of the month or quarter for which they are made.

IV. No purchases will be made by any Quartermaster in this Department, except on special authority from Department Headquarters.

V. All requisitions, estimates, applications, etc., will be transmitted through post commander, and should, by him, be revised and approved before being forwarded to the Chief Quartermaster.

VI. Estimates for quartermaster's stores should be made in triplicate, and in strict compliance with the instructions printed upon the face of the blank estimates. Estimates of clothing, camp and garrison equipage will be made out agreeably to Form No. 48, Quartermaster's Department, as published in War Department General Orders No. 7, of 1872, and transmitted in quadruplicate.

VII. Officers, in transmitting the reports and returns called for herein, will specify in each letter of transmittal the reports enclosed, and state such as their duties do not require them to make.

Quartermasters will use every means in their power to have these reports forwarded promptly.

When an officer is relieved as Quartermaster, all orders pertaining to the office should be transferred with the records of the office.

When blanks are not on hand all forms must be ruled out.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *January 22, 1876.*

GENERAL ORDERS {  
NO. 2. }

I. The following Pay Districts are established in this Department, viz:

FIRST.—The posts of Clark, Duncan and McKavett.

SECOND.—The posts of Concho, Stockton, Davis, Quitman and Bliss.

THIRD.—The posts of Richardson and Griffin.

FOURTH.—The posts of Brown, Ringgold Barracks and McIntosh.

II. Until such time as there are adequate quarters at Fort Concho for a Paymaster at that post, the Paymasters stationed at Department Headquarters will alternate in paying the first and second districts.

The Paymaster at Dallas will pay the third district, the Paymaster at Brown the fourth, except McIntosh, which will, until further orders, be paid by check.

III. Payments to troops will be made as above, without farther orders, and as soon after muster as practicable.

The Quartermaster's Department will furnish such transportation, by stage or otherwise, as may be required, and the Subsistence Department will, when necessary, commute the rations of the escort if traveling by stage, at the usual rate.

IV. The Chief Paymaster will remain at Department Headquarters and make all local payments. He will see that funds are always in the hands of the District Paymasters to enable them to make prompt payments.

V. Notices of discharges will be forwarded at least one month prior to the expiration of the soldier's enlistment; those from the first and second districts to the Chief Paymaster; from the third, to the Paymaster at Dallas, and from the fourth, to the Paymaster at Fort Brown; excepting in cases where the soldier wishes to be paid at Department Headquarters; in this event it will be sent to the Chief Paymaster, direct.

VI. Post commanders will, hereafter, specify on their Bi-Monthly Inspection Reports compliance with, or neglect of, by company commanders, (by name), the requirements of paragraph V, of this order.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:





HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January 17, 1876.*

GENERAL ORDERS }  
No. 1. }

I. The number of prisoners who escape from the guard-houses in which they are confined at posts in this Department renders it necessary that post commanders exercise greater care and vigilance in assuring their safe keeping.

II. Hereafter, prisoners sentenced to confinement at military prisons or penitentiaries, or under charges for desertion or similarly grave offences, whilst awaiting transportation or trial, will not be required or permitted to perform fatigue or police duty outside the guard house. The prison room will be inspected from time to time by the post commander, and all prisoners who are ironed will be carefully examined at least twice each day by the officer of the day or guard, and at the parade of every relief by a non-commissioned officer of the guard. Where prison rooms are not secure, prompt requisition for material to make them so will be forwarded, including wire grating.

III. There are few escapes of prisoners not due to carelessness or neglect, and, in each case which occurs, the post commander will make such thorough investigation as to insure the establishment of the responsibility therefor, in order that the person derelict, officer of the day or guard, non-commissioned officer or sentinel, may be held to account.

IV. Hereafter, regimental adjutants in this Department will, in all cases, perform the duties of post adjutants at their stations.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private John Carty.....Company C, 8th Cavalry.
2. Private Thomas Gleason.....Company C, 8th Cavalry.
3. Private William H. Lane.....Company D, 8th Cavalry.
4. Private William Osborn.....Company I, 8th Cavalry.
5. Private James Lantry.....Company L, 8th Cavalry.
6. Private Hugh Master.....Company L, 8th Cavalry.
7. Private George McGinnis.....Company H, 24th Infantry.

### AT FORT CLARK, TEXAS.

8. Private Alexander Cuffy.....Company K, 10th Cavalry.
9. Private David George.....Company G, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *December 21, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 43.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, paragraph V, Special Orders No. 136, paragraph II, Special Orders No. 137, paragraphs I and II, Special Orders No. 183, and paragraph III, Special orders No. 199, current series, Headquarters Department of Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, were arraigned and tried:

1. Private *John Carty*, Co. C, 8th Cavalry.

CHARGE I—"Violation of the 33rd Article of War."

(Six specifications—Absenting himself from parade of guard detail, afternoon stables, retreat and tattoo roll-calls, November 28; and from reveille roll-call and morning stables November 29, 1876.)

CHARGE II—"Violation of the 32nd Article of War."

(One specification—Absenting himself from his company and post from 8:30 A. M., November 28, to 9 A. M., November 29, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars of his monthly pay for the period of one (1) month."

2. Private *Thomas Gleason*, Co. C, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

(One specification—Drunk on guard December 1, 1876.)

CHARGE II—"Violation of the 40th Article of War."

(One specification—Quitting his guard December 1, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars of his monthly pay, per month, for the period of six (6) months, and to be confined in charge of the guard, at hard labor, at the post where his company may be serving, for the period of three (3) months."

3. Private *William H. Lane*, Co. D, 8th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

(Two specifications—Stealing a gold chain, valued at forty dollars, from Sergeant James Jones, Co. D, 8th Cavalry, November 15, 1876; stealing a Government blanket from Private Michael Byron, Co. D, 8th Cavalry, November 27, 1876.)

CHARGE II—"Violation of the 60th Article of War."

(One specification—Stealing a U. S. carbine and revolver from company store room, November 17, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances, and to be confined in such penitentiary as the proper authority may direct for the period of three (3) years."

4. Private *William Osborn*, Co. I, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

(One specification—Becoming drunk while on duty as orderly at post headquarters, November 22, 1876.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(Two specifications—Using vile language towards, and refusing to go to the guard house with, the post sergeant-major; striking Sergeant Dufficks, using vile language to him, and refusing to accompany him to the guard house, November 22, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month for the period of three months, and to be confined at hard labor in charge of the guard at the post where he is now serving for the same period."

5. Private *James Lantry*, Co. L, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

(One specification—Drunk on guard November 26, 1876.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(Two specifications—Taking prisoners over whom he was sentinel to town of Brownsville, without authority, and permitting them to get drunk; quitting his arms while in charge of prisoners, November 26, 1876.)

PLEA—"To the first charge and its specification, 'Not Guilty.'"

To the second charge and its specifications, "Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars of his monthly pay, per month, for the period of six (6) months, and to be confined in charge of the guard, at hard labor, at the post where his company may be serving, for the period of three (3) months."

6. Private *Hugh Master*, Co. L, 8th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

(One specification—Permitting two prisoners, Privates Jackson and Carty, whom he was sentinel over to get drunk, and bringing them in a drunken condition to post guard house, November 22, 1876.)

PLEA—"Not Guilty."

FINDING—"Not Guilty." And the court does therefore acquit him.

7. Private *George McGinnis*, Co. H, 24th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

(One specification—Permitting two prisoners, Privates Jackson and Carty, over whom he was sentinel, to get whisky, and drinking some of it himself, November 22, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars of his monthly pay, per month, for four (4) months, and to be confined at hard labor in charge of the guard for the same period at the post where his company may be serving."

II. In the case of Private *John Carty*, Co. C, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

This case should have been submitted to the action of a garrison court martial.

In the case of Private *Thomas Gleason*, Co. C, 8th Cavalry, the proceedings and findings are approved.

So much of the sentence as extends beyond the expiration of the term of the soldier's enlistment is remitted; the remainder of the sentence is approved and will be duly executed.

In the case of Private *William H. Lane*, Co. D, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In accordance with instructions from the Adjutant General's Office, the proceedings will be forwarded for the orders of the Secretary of War.

In the case of Private *William Osborn*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *James Lantry*, Co. L, 8th Cavalry, the proceedings are approved. The findings of the first charge and its specification are disapproved. There is a singular concatenation of ideas on the part of the principal and only witness, the officer preferring the charge of drunkenness on duty, who testified in effect to the prisoner being too much under the influence of liquor to perform his duty properly, but could not say he was drunk, so that the charge falls to the ground.

It would be well for post commanders before submitting charges preferred by officers, whose ideas on the subject are so confused, to be sure beforehand that the evidence be satisfactory.

The findings of the court to the second charge and its specification, and the sentence, are approved. The period during which ten dollars per month of his pay shall be forfeited is reduced to three months. As mitigated, the sentence will be duly executed.

In the case of Private *Hugh Master*, Co. L, 8th Cavalry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

In the case of Private *George McGinnis*, Co. H, 24th Infantry, the proceedings are approved. The findings and sentence are disapproved.

It would appear, from a perusal of the evidence in the present case, and the preceding one of Private Master, that both men, who were sentinels on different reliefs, were charged, in effect, with letting the same prisoners drink and get drunk while under their charge. The evidence shows that the accused (*McGinnis*) had the prisoners first, and that Private Master relieved him at 10 o'clock A. M. A corporal of the guard swears that the prisoners did not seem to be drunk when the accused turned them over; and the officer of the day testifies that about 10 o'clock, or between 10 and

11 A. M., he saw the prisoners mentioned in the specification, under the other sentinel, (Private Master), at work; conversed with them in the course of investigating a certain occurrence, and that they were then, to all appearances, sober—not showing any indications of drunkenness—and that he believed them to be sober, but that at about 11:45 A. M. he saw Master, who had had the prisoners in his charge in the interim, bring them very drunk to the guard house.

One of the prisoners, however, Private William Jackson, Co. I, 8th Cavalry, testifies that he and the other prisoner got the liquor that caused his drunkenness with the accused's knowledge, when under his charge, and drank of it with him, between 8 and 9 A. M., and that he drank no liquor while under Master's charge; and on his evidence alone Private Master was acquitted and the accused convicted.

There being reasonable doubt as to the probability of men drinking sufficiently between 8 and 9 A. M. to make them very drunk at 11:45 A. M., without that drunkenness being apparent to others at 10 A. M., or between 10 and 11 A. M., the accused is given the benefit of the doubt.

The investigation in these two cases seems to have been superficial, and by no means as thorough and painstaking as it should have been.

Private *McGlunis* will be released from confinement and returned to duty.

III. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, and paragraph X, Special Orders No. 160, current series, Headquarters Department of Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, were arraigned and tried:

8. Private *Alexander Cuffy*, Co. K, 10th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

(One specification—Pawning a United States pistol with a citizen, September 19, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due him, and to be confined at hard labor in such military prison as the Department Commander may designate for two years."

9. Private *David George*, Co. G, 10th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

(One specification—Stealing and selling a blanket and pair of pants, the property of Private Dyke, of his company, October 1, 1876.)

CHARGE II—"Violation of the 60th Article of War."

(One specification—Stealing and selling a United States bedsack, October 1, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due him, and to be confined at hard labor in such military prison as the reviewing authority may designate for two years."

IV. In the case of Private *Alexander Cuffy*, Co. K, 10th Cavalry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to one year. As mitigated, the sentence will be duly executed.







HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *December 16, 1876.*

GENERAL COURT MARTIAL }  
ORDERS NO. 42. }

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, November 20, 1876, pursuant to paragraph II, Special Orders Nos. 209, 210 and 211, current series, Headquarters Department of Texas, of which Colonel H. B. Clitz, 10th Infantry, is President, was arraigned and tried:

First Lieutenant *Mirand W. Saxton*, 24th Infantry.

CHARGE I—"Conduct unbecoming an officer and a gentleman, in violation of the 61st Article of War."

*Specification 1st*—"In this, that First Lieutenant *Mirand W. Saxton*, 24th Infantry, did exhibit himself in the post trader's store, at Fort Duncan, Texas, in the presence of several commissioned officers and citizens, in a state of gross intoxication: so much so as to vomit on the floor and on his own person. This at Fort Duncan, Texas, on or about the 3rd day of November, 1876."

*Specification 2nd*—"In this, that First Lieutenant *Mirand W. Saxton*, 24th Infantry, did exhibit himself in the post trader's store, at Fort Duncan, Texas, in the presence of citizens, in a state of gross intoxication: so much so as to vomit on the floor and on his own person. This at Fort Duncan, Texas, on or about the 5th day of November, 1876."

CHARGE II—"Violation of the 21st Article of War."

*Specification*—"In this, that First Lieutenant *Mirand W. Saxton*, 24th Infantry, having received the following lawful order from his superior officer, Lieutenant Colonel William R. Shafter, 24th Infantry, commanding the post and regiment to which he (Lieutenant *Saxton*) belonged, the said order being issued in the execution of his, the said Lieutenant Colonel Shafter's, office, viz:

' HEADQUARTERS FORT DUNCAN, TEXAS,

*November 5, 1876.*

*First Lieutenant Mirand W. Saxton*, 24th Infantry,

*Fort Duncan, Texas.*

*Lieutenant:*

The commanding officer directs me to inform you that you are herewith prohibited to visit the post trader's store at this post while you remain on duty here, as he is not willing to allow officers under his command to exhibit themselves in such a disgusting condition as you were seen in there on the morning of the 3rd instant.

I am, very respectfully,

Your obedient servant,

[Signed.] HELENUS DODT,

*First Lieutenant and Adjutant 24th Infantry,  
Post Adjutant.*

did return said communication with the following endorsement:

' FORT DUNCAN, TEXAS,

*November 5, 1876.*

Respectfully returned to Headquarters, Fort Duncan, Texas. I

deny the right of any headquarters prohibiting my personal liberty, without a specific statement. If I have made a disgusting exhibition of myself, it seems to me that the better course would be to confine me by preferring charges and specifications.

[Signed.] M. W. SAXTON,  
*First Lieutenant 24th Infantry.*

and having again been addressed, by direction of Lieutenant Colonel William R. Shafter, 24th Infantry, commanding Fort Duncan, Texas, by endorsement as follows:

'HEADQUARTERS FORT DUNCAN, TEXAS,  
November 5, 1876.

Respectfully returned to First Lieutenant M. W. Saxton, 24th Infantry, who will state whether he declines to regard the orders contained in the within communication.

BY ORDER OF LIEUTENANT COLONEL WILLIAM R. SHAFTER:

[Signed.] HELENUS DODT,  
*First Lieutenant and Adjutant 24th Infantry,  
Post Adjutant.'*

did return said communication with the following endorsement:

'FORT DUNCAN, TEXAS,  
November 6, 1876.

Respectfully returned to Headquarters, Fort Duncan, Texas. Lieutenant Saxton most positively declines to regard this as a legal order. Lieutenant Saxton is not conscious of having been guilty of any disgusting conduct. If such has been the case, and it seems necessary to restrict his liberty, he would prefer that such action would be done in a regular way. He declines to receive an official insult, and makes this endorsement accordingly. He is not aware of any neglected duty that renders such a letter as has been addressed to him necessary.

[Signed.] M. W. SAXTON,  
*First Lieutenant 24th Infantry.'*

Thereby disobeying aforesaid lawful order. This at Fort Duncan, Texas, on or about the 5th and 6th days of November, 1876."

CHARGE III—"Insubordinate conduct, to the prejudice of good order and military discipline."

Specification—"In this, that First Lieutenant Mirand W. Saxton, 24th Infantry, having received the following communication from his commanding officer, Lieutenant Colonel W. R. Shafter, 24th Infantry, commanding Fort Duncan, Texas, through the Post Adjutant, First Lieutenant Helenus Dolt, Adjutant 24th Infantry:

'HEADQUARTERS FORT DUNCAN, TEXAS,  
November 5, 1876.

*First Lieutenant Mirand W. Saxton, 24th Infantry,  
Fort Duncan, Texas.*

Lieutenant:

The commanding officer directs me to inform you that you are herewith prohibited to visit the post trader's store at this post while you remain on duty here, as he is not willing to allow officers under his command to exhibit themselves in such a disgusting condition as you were seen in there on the morning of the 3rd instant.

I am, very respectfully,

Your obedient servant,  
[Signed.] HELENUS DODT,  
*First Lieutenant and Adjutant 24th Infantry,  
Post Adjutant.'*

did, on or about November 5, 1876, return the said communication to the said Lieutenant Dodi, with the following endorsement signed by himself, the said Lieutenant Saxton:

'FORT DUNCAN, TEXAS,  
November 5, 1876.

Respectfully returned to Headquarters, Fort Duncan, Texas. I deny the right of any headquarters prohibiting my personal liberty, without a specific statement. If I have made a disgusting exhibition of myself, it seems to me that the better course would be to confine me by preferring charges and specifications.

[Signed.] M. W. SAXTON,  
*First Lieutenant 24th Infantry.'*

and having been further addressed by the said commanding officer, through said Post Adjutant, in an endorsement on the aforesaid communication, as follows:

'HEADQUARTERS FORT DUNCAN, TEXAS,  
November 5, 1876.

Respectfully returned to First Lieutenant M. W. Saxton, 24th Infantry, who will state whether he declines to regard the orders contained in the within communication.

BY ORDER OF LIEUTENANT COLONEL WILLIAM R. SHAFTER:

[Signed.] HELENUS DODT,  
*First Lieutenant and Adjutant 24th Infantry,  
Post Adjutant.'*

did again return the paper to the said Post Adjutant, on or about November 6, 1876, with the following endorsement, signed by himself, the said Lieutenant Saxton:

'FORT DUNCAN, TEXAS,  
November 6, 1876.

Respectfully returned to Headquarters, Fort Duncan, Texas. Lieutenant Saxton most positively declines to regard this as a legal order. Lieutenant Saxton is not conscious of having been guilty of any disgusting conduct. If such has been the case, and it seems necessary to restrict his liberty, he would much prefer that such action would be done in regular way. He declines to receive an official insult, and makes the endorsement accordingly. He is not aware of any neglected duty that renders such a letter as has been addressed to him necessary.

[Signed.] M. W. SAXTON,  
*First Lieutenant 24th Infantry.'*

This at Fort Duncan, Texas, on or about the dates above specified."

To which charges and specifications the accused pleaded:

To the first charge and its specifications,	"Not Guilty."
To the specification, second charge,	"Guilty."
To the second charge,	"Not Guilty."
To the specification, third charge,	"Guilty."
To the third charge,	"Not Guilty."

#### FINDING.

The court having maturely considered the evidence adduced, finds the accused:

Of the first charge and its specifications,	"Not Guilty."
Of the specification, second charge, confirm the plea of accused and find him "Guilty."	
Of the second charge,	"Not Guilty."

Of the specification, third charge, confirm the plea of accused and find him "Guilty."

Of the third charge,

"Guilty."

SENTENCE.

And the court does therefore sentence him, First Lieutenant *Mirand W. Saxton*, 24th Infantry, "To forfeit to the United States fifty (\$50) dollars a month for four (4) months, and to be severely reprimanded in General Orders by the Department Commander."

II. In the foregoing case of First Lieutenant *Mirand W. Saxton*, 24th Infantry, the proceedings are approved.

In the findings of the court on the second charge and its specification the following inconsistency is observed: though the court finds the accused not guilty of "disobedience of orders" it confirms his plea and finds him guilty of the whole specification, which terminates with the words "thereby disobeying the aforesaid legal order, etc." Subject to these remarks, the findings and sentence are approved and will be duly executed.

The Department Commander has observed the misconduct of this officer, and is afraid that time would be wasted in trying to lecture him into a sense of propriety.

He will be returned to duty.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private David Murray.....Company I, 8th Cavalry.
2. Private James Penman.....Company I, 8th Cavalry.
3. Private Frank Daley.....Company L, 8th Cavalry.
4. Private George Sowles.....Company L, 8th Cavalry.
5. Private Horace F. Revel.....Company E, 24th Infantry.
6. Private John A. Humphries.....Company H, 24th Infantry.
7. Private Benjamin Webb.....Company H, 24th Infantry.

### AT FORT CONCHO, TEXAS.

8. Private James Pelton.....Company A, 10th Cavalry.
9. Private William Kennedy.....Company L, 10th Cavalry.
10. Private Daniel Starks.....Company L, 10th Cavalry.

### AT FORT DAVIS, TEXAS.

11. Musician William Jackson.....Company A, 25th Infantry.
12. Private Richard Fishback.....Company K, 25th Infantry.

### AT RINGGOLD BARRACKS, TEXAS.

13. Private John Egan.....Company G, 8th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *December 1, 1876.*

### GENERAL COURT MARTIAL } ORDERS No. 41. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 133, paragraph V, Special Orders No. 133, paragraph II, Special Orders No. 137, paragraphs I and II, Special Orders No. 183, and paragraph III, Special orders No. 199, current series, Headquarters Department of Texas, of which Captain L. T. Morris, 8th Cavalry, is President, were arraigned and tried:

1. Private David Murray, Co. I, 8th Cavalry.

CHARGE—"Violation of the 38th Article of War."

(One specification—Found drunk on post, November 3, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for the period of four months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

2. Private James Penman, Co. I, 8th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification—Stealing a blanket, the property of another soldier, September 25, 1875.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States; to forfeit all pay now due or to become due, and to be confined in such military prison as the Department Commander may direct for the period of one year."

3. Private *Frank Daley*, Co. L, 8th Cavalry.

CHARGE I—"Violation of the 33rd Article of War."

(Three specifications—Absenting himself from tattoo roll-call, reveille roll-call, morning stables, October 27, 28, 1876.)

CHARGE II—"Violation of the 32nd Article of War."

(One specification—Absenting himself night of October 27-28, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor under charge of the guard for the period of two months, and to forfeit ten dollars of his monthly pay for the same period."

4. Private *George Sowles*, Co. L, 8th Cavalry.

CHARGE I—"Violation of the 39th Article of War."

(One specification—Found sleeping on post, November 6, 1876.)

CHARGE II—"Violation of the 62nd Article of War."

(One specification—Abusing and threatening the corporal of the guard, November 6, 1876.)

PLEA—"To the first charge and its specification, 'Not Guilty.'"

To the second charge and its specification, "Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due, and to be confined at hard labor at such place as the reviewing authority may direct for six months."

5. Private *Horace F. Revel*, Co. E, 24th Infantry.

CHARGE I—"Violation of the 33rd Article of War."

(Two specifications—Failing to parade at drill-call and retreat roll-call, November 9, 1876.)

CHARGE II—"Violation of the 17th Article of War."

(One specification—Selling, or losing through neglect, articles of his clothing, November 9, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service, and confined at the post where his company may be serving for the period of six months."

6. Private *John A. Humphries*, Co. H, 24th Infantry.

CHARGE—"Violation of the 38th Article of War."

(One specification—Found drunk on guard, November 3, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for the period of four months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

7. Private *Benjamin Webb*, Co. H, 24th Infantry.

CHARGE—"Violation of the 38th Article of War."

(One specification—Found drunk on guard, November 4, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for the period of four months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

II. In the case of Private *David Murray*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved. On account of the unanimous recommendation to clemency by the members of the court which tried the case, on the ground of his former good conduct, the sentence is reduced to read *one month* in place of "four months," and, as mitigated, will be duly executed.

In the case of Private *James Penman*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved. The term of confinement is reduced to six months. As mitigated, the sentence will be duly executed. The post of Fort Brown, Texas, is designated as the place of confinement.

In the case of Private *Frank Daley*, Co. L, 8th Cavalry, a member of the court, Major T. T. Thornburgh, Pay Department, who was relieved as a member of the court per paragraph III, Special Orders No. 199, current series, Headquarters Department of Texas, is reported absent, and his absence is accounted for by reference to the order relieving him, which is annexed. This order should have been read and incorporated in the body of the proceedings with the other orders instituting the court, and Major Thornburgh's name dropped from the roll of members. Subject to these remarks, the proceedings, findings and sentence are approved. The sentence is reduced to read *one month* in place of "two months," and, as mitigated, will be duly executed.

In the case of Private *George Sowles*, Co. L, 8th Cavalry, the proceedings are approved. The findings to the first charge and its specification are disapproved, there being no evidence in the record to show positively that the prisoner was duly posted, as alleged, as a sentinel, at the time he was found sleeping. Every material averment in a specification should be covered by the evidence. The findings to the second charge and its specification are approved. The sentence is mitigated so as to read: "To be confined at hard labor in charge of the guard for three months, and to forfeit to the United States ten dollars per month of his pay for the same period," and will be so executed.

In the case of Private *Horace F. Revel*, Co. E, 24th Infantry, the proceedings and findings are approved. So much of the sentence as inflicts dishonorable discharge is disapproved. The remainder of the sentence is approved, but the term of confinement is reduced to three months, and, as mitigated, will be duly executed.

In the cases of Privates *John A. Humphries* and *Benjamin Webb*, Co. H, 24th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

III. Before a General Court Martial which convened at Fort Concho, Texas, on Monday, November 13, 1876, pursuant to paragraph II, Special Orders No. 206, current series, Headquarters Department of Texas, of which Major N. B. McLAUGHLIN, 10th Cavalry, is President, were arraigned and tried:

8. Private *James Pelton*, Co. A, 10th Cavalry.

CHARGE—"Desertion."

(One specification—Deserted September 14, 1874.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States all pay due or that may become due, and to be dishonorably discharged from the service, and confined at hard labor for three years at such military prison as the proper authority may direct."

9. Private *William Kennedy*, Co. L, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification—Stealing a pound of tobacco, the property of another soldier, August 3, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for three months, and to be confined at hard labor under charge of the guard at the post where his company may be serving for the same period."

10. Private *Daniel Starks*, Co. L, 10th Cavalry.

CHARGE I—"Violation of the 62nd Article of War."

(One specification—Absenting himself from 3rd to 5th October, 1876.)

CHARGE II—"Violation of the 16th Article of War."

(One specification—Selling, losing or wasting, certain ammunition, October 3, 1876.)

CHARGE III—"Violation of the 17th Article of War."

(One specification—Selling, or losing through neglect, a portion of his equipments, October 3, 1876.)

CHARGE IV—"Conduct to the prejudice of good order and military discipline."

(Three specifications—Using insolent language to his first sergeant; resisting arrest by his first sergeant; kicking him and using abusive language towards him; throwing a stone at a private detailed to arrest him, October 20, 1876.)

PLEA—To the first and fourth charges and specifications, "Guilty."

To the second and third charges and specifications, "Not Guilty."

FINDING—Of the first, second and fourth charges and specifications, "Guilty."

Of the specification, third charge, "Guilty, except 'onesabre-belt and plate, value one dollar and eighty-six cents,' and of the excepted words not guilty."

Of the third charge, "Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

IV. In the case of Private *James Pelton*, Co. A, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Concho, Texas, until further orders.

In the case of Private *William Kennedy*, Co. L, 10th Cavalry, the proceedings are approved. The findings and sentence are disapproved, the



evidence not being considered sufficiently conclusive to warrant a conviction of such a grave crime as theft.

He will be released from confinement and returned to duty.

In the case of Private *Daniel Starks*, Co. L, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

V. Before a General Court Martial which convened at Fort Davis, Texas, on Friday, September 1, 1876, pursuant to paragraph IV, Special Orders No. 157, and paragraph I, Special Orders No. 175, current series, Headquarters Department of Texas, of which Major Z. R. Bliss, 25th Infantry, is President, were arraigned and tried:

11. Musician *William Jackson*, Co. A, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

(Two specifications—Stealing a blanket, the property of another soldier; carrying deadly weapons on his person, in violation of orders; September 8, 1876.)

PLEA—"To the first specification, 'Not Guilty.'"

To the second specification, "Guilty."

To the charge, "Guilty."

FINDING—"Of the first specification, 'Not Guilty.'"

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his pay for one month, and to be confined at hard labor at the post guard house under charge of the guard for the same period."

12. Private *Richard Fishback*, Co. K, 25th Infantry.

CHARGE—"Violation of the 62nd Article of War."

(Four specifications—Attempting to attack another soldier with a knife, and threatening to kill him; threatening a citizen with a pistol; threatening another soldier with a pistol; July 18 and 19, 1876.)

PLEA—"Not Guilty."

FINDING—"Of the first and second specifications, 'Guilty.'"

Of the third specification, "Guilty, except the word '19,' substituting therefor 18, and of the excepted word not guilty."

Of the fourth specification, "Guilty, except the word '19,' substituting therefor 18, and of the excepted word not guilty."

Of the charge, "Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, and to forfeit to the United States all pay and allowances that are now or may become due, and then to be confined at hard labor at such military prison as the reviewing authority may direct for eighteen months."

VI. In the case of Musician *William Jackson*, Co. A, 25th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *Richard Fishback*, Co. K, 25th Infantry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to nine months. As mitigated, the sentence will be duly executed. The post of Fort Davis, Texas, is designated as the place of confinement.

VII. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, September 18, 1876, pursuant to paragraph I, Special Orders No. 166, paragraph II, Special Orders No. 176, and paragraph V, Special Orders No. 178, current series, Headquarters Department of Texas, of which Captain LEWIS JOHNSON, 24th Infantry, is President, was arraigned and tried:

13. Private *John Egan*, Co. G, 8th Cavalry.

CHARGE—"Desertion."

(One specification—Deserted October 25, 1876.)

PLEA—"Not Guilty."

FINDING—Of the specification, "Guilty, except the words 'did desert said service,' substituting for the excepted words 'did absent himself from his company without proper authority,' of the excepted words not guilty, of the substituted words guilty."

Of the charge, "Not Guilty, but guilty of absence without leave."

SENTENCE—To forfeit to the United States ten dollars of his pay for two months, and to be confined in charge of the guard at hard labor for the period of thirty days."

VIII. In the case of Private *John Egan*, Co. G, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Sergeant James Dodds .....Company C, 8th Cavalry.
2. Private Clinton C. Harlan .....Company C, 8th Cavalry.
3. Private Thomas W. Matthews .....Company C, 8th Cavalry.
4. Private William Jackson .....Company I, 8th Cavalry.
5. Private Martin Stekar .....Company M, 8th Cavalry.
6. Private Lewis B. Haskins.....Company H, 24th Infantry.

### AT FORT CLARK, TEXAS.

7. Private James Connelly .....Company F, 8th Cavalry.
8. Private Joseph Butler .....Company K, 10th Cavalry.
9. Private Lewis Winegartner.....Company II, 10th Infantry.
10. Private William Wirges.....Company K, 10th Infantry.

### AT FORT DAVIS, TEXAS.

11. Private George Hudson .....Company H, 10th Cavalry.

### AT FORT MCKAVETT, TEXAS.

12. Private Henry Price .....Company C, 10th Cavalry.

### AT RINGGOLD BARRACKS, TEXAS.

13. Private Frank Temple.....Company E, 8th Cavalry.
14. Saddler James R. Williams.....Company H, 8th Cavalry.
15. Private John Brown.....Company K, 24th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *November 13, 1876.*

### GENERAL COURT MARTIAL } ORDERS No. 40. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 103, paragraph V, Special Orders No. 136, paragraph II, Special Orders No. 137, and paragraphs I and II, Special Orders No. 183, current series, Headquarters Department of Texas, of which Major T. T. THORNBURG, Paymaster, U. S. Army, is President, were arraigned and tried:

1. Sergeant *James Dodds*, Co. C, 8th Cavalry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

(One specification—While sergeant of stable guard failing to turn over one set of double wheel-harness, thereby causing its loss to the United States.)

PLEA—"Not Guilty."

FINDING—"Not Guilty." And the court does therefore acquit him.

2. Private *Clinton C. Harlan*, Co. C, 8th Cavalry.

CHARGE I—"Violation of the 62nd Article of War."

(One specification—Too intoxicated to attend afternoon stables, October 10, 1876.)

CHARGE II—"Violation of the 33rd Article of War."

(One specification—Absent from afternoon stables and retreat roll-call, October 13, 1876, and from reveille roll-call, morning stables and target practice, October 14, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States twelve dollars per month of his monthly pay for two months."

3. Private *Thomas W. Matthews*, Co. C, 8th Cavalry.

CHARGE—"Violation of the 33rd Article of War."

(Two specifications—Drunk on kitchen police October 10, and on guard October 12, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for the period of six months, and to be confined at hard labor in charge of the post guard for the same period."

4. Private *William Jackson*, Co. I, 8th Cavalry.

CHARGE—"Violation of the 33rd Article of War."

(Four specifications—Absent from reveille roll-call, morning stables, drill and afternoon stables October 16, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for the period of one month, and to be confined at hard labor in charge of the guard at the post where he is now serving for thirty days."

5. Private *Martin Stekar*, Co. M, 8th Cavalry.

CHARGE I—"Desertion."

(One specification—Deserted September 15, 1876; apprehended September 21, 1876.)

CHARGE II—"Theft, to the prejudice of good order and military discipline."

(One specification—Stealing part of the individual arms and equipments issued to him, when he deserted, September 15, 1876.)

PLEA—To the first charge and specification, "Guilty."

To the specification, second charge, "Not Guilty, except taking a carbine and twenty cartridges."

To the second charge, "Guilty."

FINDING—Of the first charge and specification, "Guilty."

Of the specification, second charge, "Guilty as regards carbine and ammunition; not guilty as to the other articles."

Of the second charge, "Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, and to forfeit to the United States all pay and allowances now due or that may become due, and to be confined in such penitentiary as the reviewing officer may direct for the period of three years."

6. Private *Lewis B. Haskins*, Co. II, 24th Infantry.

CHARGE I—"Violation of the 32nd Article of War."

(One specification—Absent night of October 3, 1876.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(One specification—Refusing to go to guard house, when ordered by Corporal Thomas, October 3, 1876.)

CHARGE III—"Theft, to the prejudice of good order and military discipline."

(One specification—Stealing a woolen blanket from Corporal Thornton, October 3, 1876.)

PLEA—To the first and second charges and specifications, "Guilty."

To third charge and specification, "Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due and to become due, and to be confined in such military prison as the reviewing authority may designate for the period of one year."

II. In the case of Sergeant *James Dadds*, Co. C, 8th Cavalry, the proceedings, findings and acquittal are approved.

(*Orders have already been issued for his release from confinement*).

In the case of Private *Clinton C. Harlan*, Co. C, 8th Cavalry, so much of the proceedings and findings as relates to the second charge and its specification are disapproved, for the reason that it is double pleading to allege in a specification that an accused failed to repair to five appointed duties on the 13th and 14th October, 1876, since each such failure is a distinct substantial offense. (See Digest of Opinions of the Judge Advocate General; Title, SPECIFICATION; Section 9, page 36.)

The proceedings and findings on the first charge and its specification are approved.

The sentence is reduced to read: "To forfeit twelve dollars of his pay," and, as mitigated, is confirmed, and will be duly executed.

(*Orders have already been issued for his release from confinement*).

In the case of Private *Thomas W. Matthews*, Co. C, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *William Jackson*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved. In consideration of the length of time the prisoner has already been in confinement, the sentence is reduced to read: "To forfeit five dollars of his pay and to be confined at hard labor for fifteen days," and will be so executed.

In the case of Private *Martin Stekar*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved.

In view of the recommendation to mercy, by five of the eight members of the court which tried the prisoner, on account of his youth, inexperience and inability to understand the English language, the sentence is remitted.

The money value of the articles which the prisoner is convicted of having carried away, viz: one United States Springfield carbine, calibre .45, and twenty rounds of carbine ammunition, calibre .45, will be charged against him on the next muster and pay-rolls of his company.

He will be released from confinement and returned to duty.

In the case of Private *Lewis B. Haskins*, Co. H, 24th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

III. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, and paragraph X, Special Orders No. 169, current series, Headquar-

ters Department of Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, were arraigned and tried:

7. Private *James Connelly*, Co. F, 8th Cavalry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

(One specification—Allowing a military prisoner to escape, September 25, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for twelve months, and to be confined at hard labor in the guard house at the post where his company may be serving for twelve months."

8. Private *Joseph Butler*, Co. K, 10th Cavalry.

CHARGE I—"Drunkenness on duty."

(One specification—Found drunk while on post, September 18, 1876.)

CHARGE II—"Sleeping on post."

(One specification—September 18, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined in the guard house at the post his company may be serving at for six months, and to forfeit to the United States ten dollars per month of his monthly pay for six months."

9. Private *Lewis Winegartner*, Co. H, 10th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

(One specification—Allowing a military prisoner to escape, October 10, 1876.)

PLEA—"Not Guilty."

FINDING—"Of the specification, 'Guilty, but attach no criminality thereto.'"

Of the charge "Not Guilty." And the court does therefore acquit him.

10. Private *William Wirges*, Co. K, 10th Infantry.

CHARGE I—"Violation of the 33rd Article of War."

(One specification—Absenting himself from guardmount, September 8, 1876.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(One specification—Attempting to rescue a prisoner; attacking a non-commissioned officer with a club, and using obscene language towards him; threatening his first sergeant, September 9, 1876.)

PLEA—"To the first charge and specification, 'Guilty.'"

To the second charge and specification, "Not Guilty."

FINDING—"Of the first charge and specification, 'Guilty.'"

Of the specification, second charge, "Guilty, except the words, did say to acting first sergeant James D. Cunningham, Co. K, 10th Infantry, who assisted in arresting him, 'let go of me or I will hit you,' and further say to said Corporal 'you are a long legged bastard,' of the excepted words not guilty."

Of the second charge, "Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due him, and to be confined at such military prison as the reviewing authority may direct for three years."

IV. In the case of Private *James Connelly*, Co. F, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read *six months* in place of "twelve (12) months," and, as mitigated, will be duly executed.

In the case of Private *Joseph Butler*, Co. K, 10th Cavalry, the proceedings and sentence are approved. Owing to certain circumstances, the sentence is reduced to read *four months* in place of "six (6) months," and, as mitigated, will be duly executed.

In the case of Private *Lewis Winegartner*, Co. H, 10th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

In the case of Private *William Wirges*, Co. K, 10th Infantry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to two years.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Clark, Texas, until further orders.

V. Before a General Court Martial which convened at Fort Davis, Texas, on Friday, September 1, 1876, pursuant to paragraph IV, Special Orders No. 157, and paragraph I, Special Orders No. 175, current series, Headquarters Department of Texas, of which Major Z. R. Bliss, 25th Infantry, is President, was arraigned and tried:

11. Private *George Hudson*, Co. II, 10th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

(Three specifications—Attempting a disturbance at a ball, and throwing a bottle, cutting Corporal Turner's head; threatening to stab Sergeant Smith; neglecting to prepare company's breakfast; September 4 and 5, 1876.)

PLEA—To first and second specifications, "Not Guilty."

To third specification, "Guilty."

To the charge, "Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving for the period of six months, and to forfeit to the United States ten dollars a month of his monthly pay for the same period."

VI. In the case of Private *George Hudson*, Co. H, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

VII. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, paragraph V, Special Orders No. 105, and paragraph II, Special Orders No. 130, current series, Headquarters Department of Texas, of which Surgeon C. E. GODDARD, Medical Department, is President, was arraigned and tried:

12. Private *Henry Price*, Co. C, 10th Cavalry.

CHARGE—"Desertion."

(One specification—Deserted September 28, 1876; surrendered September 30, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due,

except the just dues of the laundress, and to be confined at hard labor in such military prison as the proper authority may designate for the period of four years."

VIII. In the case of Private *Henry Price*, Co. C, 10th Cavalry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to two years. As mitigated, the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort McKavett, Texas, until further orders.

IX. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, September 18, 1876, pursuant to paragraph I, Special Orders No. 166, paragraph II, Special Orders No. 176, and paragraph V, Special Orders No. 178, current series, Headquarters Department of Texas, of which Captain A. B. KAUFFMAN, 8th Cavalry, is President, were arraigned and tried:

13. Private *Frank Temple*, Co. E, 8th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

(One specification—Allowing a military prisoner to escape, August 23, 1876.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for four months, and to be confined at hard labor in charge of the guard for the same period."

14. Saddler *James R. Williams*, Co. H, 8th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

(Two specifications—Refusing to obey the orders of, and using obscene language towards, and striking, his acting first sergeant, September 23, 1876.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for four months, and to be confined at hard labor in charge of the guard for the same period."

15. Private *John Brown*, Co. K, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

(Two specifications—Using disrespectful language to Sergeant Porter; threatening to shoot into a ball room; September 13, 1876.)

PLEA—"Not Guilty."

FINDING—Of the first specification, "Guilty."

Of the second specification, "Not Guilty."

Of the charge, "Guilty."

SENTENCE—"To be confined at hard labor in charge of the guard for the period of one month, and to forfeit to the United States ten dollars of his pay for the same month."

X. In the case of Private *Frank Temple*, Co. E, 8th Cavalry, the proceedings are approved. The evidence in this case, in regard to the manner and matter of instructions to the sentinel, shows neglect on the part of the officer in charge, who, while he testifies that "it is not usual for commanding officers to instruct sentinels," seems to have forgotten that it is the duty of commanding officers to assure themselves that their orders are not only given to sentinels, but adhered to. This principal witness in the case



is represented in the proceedings as testifying that the instructions covering the offense were given by him to the non-commissioned officer of the guard "on the evening of the 24th," which was after the escape. This date may be an error, but it so appears in the record, and is unexplained. The proceedings indicate that the irons of the general prisoners were not carefully inspected, a precaution especially enjoined in General Orders No. 1, current series, from these Headquarters.

Under all the circumstances, however, the findings and sentence are approved, and the sentence will be duly executed.

In the case of Saddler *James R. Williams*, Co. H, 8th Cavalry, the proceedings and findings are approved. The sentence, although considered inadequate for the offenses of which the prisoner is found guilty, is confirmed, in order that he may not escape merited punishment.

In the case of Private *John Brown*, Co. K, 24th Infantry, the proceedings, findings and sentence are approved. In consideration of the length of time the prisoner has already been in confinement, so much of the sentence as relates to imprisonment is remitted; the remainder is confirmed, and will be duly executed.

He will be released from confinement and returned to duty.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT DAVIS, TEXAS.

1. Private Lewis Fifer..... Company H, 10th Cavalry.

### AT RINGGOLD BARRACKS, TEXAS.

2. Private John Lewis..... Company H, 8th Cavalry.
3. Corporal Parker Buford..... Company K, 24th Infantry.
4. Private John Moore..... Company K, 24th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS.

SAN ANTONIO, TEXAS, *November 6, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 39.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Friday, September 1, 1876, pursuant to paragraph IV, Special Orders No. 157, and paragraph I, Special Orders No. 175, current series, Headquarters Department of Texas, of which Major Z. R. Bliss, 25th Infantry, is President, was arraigned and tried:

1. Private *Lewis Fifer*, Co. H, 10th Cavalry.

CHARGE—"Violation of the 39th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor at the post where his company may be serving for the period of four months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

II. In the case of Private *Lewis Fifer*, Co. H, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

III. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, September 18, 1876, pursuant to paragraph I, Special Orders No. 166, paragraph II, Special Orders No. 176, and paragraph V, Special Orders No. 178, current series, Headquarters Department of Texas, of which Captain A. B. KAUFFMAN, 8th Cavalry, is President, were arraigned and tried:

2. Private *John Lewis*, Co. H, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

(One specification.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(Three specifications.)

PLEA—"To the first charge and its specification, "Guilty."

To the first and second specifications, second charge, "Not Guilty."

To the third specification, second charge, "Guilty."

To the second charge, "Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his pay for six months, and to be confined at hard labor in charge of the guard for the same period."

3. Corporal *Parker Buford*, Co. K, 24th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline." (Three specifications.)

CHARGE II—"Violation of the 24th Article of War." (One specification.)

PLEA—"To specification first, first charge, "Guilty."

To second and third specifications, first charge, "Not Guilty."

To the first charge, "Not Guilty."

To the second charge and its specification, "Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be reduced to the ranks; to be confined at hard labor in charge of the guard for two months, and to forfeit ten dollars of his pay for the same period."

4. Private *John Moore*, Co. K, 24th Infantry.

CHARGE I—"Violation of the 38th Article of War." (One specification.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(One specification.)

PLEA—"To the specification, first charge, "Guilty."

To the first charge, "Not Guilty."

To the second charge and its specification, "Not Guilty."

FINDING—"Of the first charge and its specification, "Guilty."

Of the second charge and its specification, "Not Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his pay for one month."

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IV. In the foregoing cases of Private *John Lewis*, Co. H, 8th Cavalry, Corporal *Parker Buford* and Private *John Moore*, Co. K, 24th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

(Orders have already been issued for the release from confinement of Private *Moore*).

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Holden G. Adams.....Company C, 8th Cavalry.
2. Private Michael Gilligan .....Company C, 8th Cavalry.
3. Private Daniel Donovan.....Company G, 8th Cavalry.
4. Private Edward Armstrong.....Company L, 8th Cavalry.
5. Private (late sergeant) George Jackson....Company C, 9th Cavalry.
6. Private Isaac Johnston.....Company H, 24th Infantry.

### HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *November 1, 1876.*

#### GENERAL COURT MARTIAL } ORDERS No. 38. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, paragraph V, Special Orders No. 136, paragraph II, Special Orders No. 137, and paragraphs I and II, Special Orders No. 183, current series, Headquarters Department of Texas, of which Major T. T. THORNBURGH, Paymaster, U. S. Army, is President, were arraigned and tried:

1. Private *Holden G. Adams*, Co. C, 8th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Not Guilty." And the court does therefore acquit him.

2. Private *Michael Gilligan*, Co. C, 8th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or that may become due, and to be confined at hard labor in such penitentiary as the reviewing authority may direct for the period of two years."

3. Private *Daniel Donovan*, Co. G, 8th Cavalry.

CHARGE—"Desertion."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due, and to be confined in such military prison as the reviewing authority may direct for the period of three years."

4. Private *Edward Armstrong*, Co. L, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

(One specification.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(Four specifications.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor in charge of the guard at the post where his company may be serving for the period of six months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

5. Private (late sergeant) *George Jackson*, Co. C, 9th Cavalry.

CHARGE—"Desertion."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due, and to be confined in such military prison as the reviewing authority may direct for the period of three years."

6. Private *Isaac Johnston*, Co. H, 24th Infantry.

CHARGE—"Violation of the 62nd Article of War."

(Two specifications.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars per month of his monthly pay for two months."

The court is thus lenient on account of his inexperience and the short time he has been in the service.

II. In the case of Private *Holden G. Adams*, Co. C, 8th Cavalry, the proceedings, findings and acquittal are approved.

*(Orders have already been issued for his release from confinement).*

In the case of Private *Michael Gilligan*, Co. C, 8th Cavalry, the proceedings are approved. The findings and sentence are disapproved, there not being evidence of any sort adduced to prove the accused guilty of the offense alleged in the charge and specification.

*(Orders have already been issued for his release from confinement).*

In the cases of Privates *Daniel Donovan*, Co. G, 8th Cavalry, and *George Jackson*, Co. C, 9th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoners will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Private *Edward Armstrong*, Co. L, 8th Cavalry, there is no time or place specified when the offenses alleged in the first charge and its specification, and in the first, second and third specifications to the second charge, were committed—this is a fatal defect, as the omissions cannot be supplied from the testimony in the record. The proceedings and findings thereon are therefore disapproved. (See Digest of Opinions of the Judge Advocate General; Title, SPECIFICATION; paragraph 8, pages 359-360). The proceedings and findings on the fourth specification, second charge, and on the second charge, are approved. The sentence is reduced to read

*two months* in place of "six months," and, as mitigated, will be duly executed.

The charges and specifications in this case were not revised at these Headquarters, authority having been given the post commander to refer them direct to court for trial.

In the case of Private *Isaac Johnston*, Co. H, 24th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

*(Orders have already been issued for his release from confinement).*

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*





## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT DAVIS, TEXAS.

1. Private Allen Kin.....Company B, 25th Infantry.

### AT RINGGOLD BARRACKS, TEXAS.

2. Private Benjamin C. Turner ..... Company G, 8th Cavalry.
3. Private Alford or Alfred Brown.....Company K, 24th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, October 20, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 37.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Friday, September 1, 1876, pursuant to paragraph IV, Special Orders No. 157, and paragraph I, Special Orders No. 175, current series, Headquarters Department of Texas, of which Major Z. R. Bliss, 25th Infantry, is President, was arraigned and tried:

1. Private *Allen Kin*, Co. B, 25th Infantry.

CHARGE I—"Violation of the 38th Article of War."

(One specification.)

CHARGE II—"Violation of the 62nd Article of War."

(Three specifications.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due, and then to be confined at hard labor in such military prison as the reviewing authority may direct for the period of one year."

II. In the case of Private *Allen Kin*, Co. B, 25th Infantry, the proceedings, findings and sentence are approved. The period of confinement is reduced to six months. As mitigated, the sentence will be duly executed at the post where he may be confined upon receipt of this order.

III. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, September 18, 1876, pursuant to paragraph I, Special Orders No. 166, and paragraph II, Special Orders No. 176, current series, Headquarters Department of Texas, of which Captain A. B. Wells, 8th Cavalry, is President, were arraigned and tried:

2. Private *Benjamin C. Turner*, Co. G, 8th Cavalry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States \$10.00 (ten dollars) of his pay for one month."

3. Private *Alford* or *Alfred Brown*, Co. K, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."  
(Two specifications.)

PLEA—"In bar of trial"—sustained by court.

IV. In the case of Private *Benjamin C. Turner*, Co. G, 8th Cavalry, the proceedings, findings and sentence are disapproved. The record fails to show that the court was sworn. Private *Turner* will be released from confinement and returned to duty.

In the case of Private *Alford* or *Alfred Brown*, Co. K, 24th Infantry, the record states that the court proceeded with the trial of Private *ALFRED*, Co. K, 24th Infantry, who was brought into court, had no objections to the members, and that it was in his presence that the court was duly sworn, and that he was then arraigned on the charges and specifications against Private *Alfred Brown*, Co. K, 24th Infantry.

It is also noticed that this soldier's name appears as *Alford Brown* in the original charges, but in the record of the proceedings it appears as *Alfred Brown*.

The proceedings are disapproved. There will be no further action taken against the prisoner and he will be released from confinement and returned to duty.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private Joseph Abraham ..... Company K, 10th Infantry.

### AT FORT DAVIS, TEXAS.

2. Private Charles Jefferson ..... Company H, 10th Cavalry.

### AT FORT MCKAVETT, TEXAS.

3. Bugler Harvey H. Duggins ..... Company E, 10th Infantry.

4. Private William Cook ..... Company F, 10th Infantry.

### AT FORT STOCKTON, TEXAS.

5. Musician John Lewis ..... Company F, 25th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *October 17, 1876.*

### GENERAL COURT MARTIAL } ORDERS NO. 36. }

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, and paragraph X, Special Orders No. 159, current series, Headquarters Department of Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, was arraigned and tried:

1. Private Joseph Abraham, Co. K, 10th Infantry.

CHARGE—"Sleeping on post."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars per month of his pay for six (6) months, and to be confined at hard labor in the post guard house for six (6) months at the post where his company may be serving."

II. In the case of Private Joseph Abraham, Co. K, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Friday, September 1, 1876, pursuant to paragraph IV, Special Orders No. 157, current series, Headquarters Department of Texas, of which Major Z. R. BLISS, 25th Infantry, is President, was arraigned and tried:

2. Private Charles Jefferson, Co. H, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Not Guilty." And the court does therefore acquit him.

IV. In the case of Private *Charles Jefferson*, Co. H, 10th Cavalry, the proceedings, findings and acquittal are approved.  
*(Orders have already been issued for his release from confinement).*

V. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, paragraph V, Special Orders No. 103, and paragraph II, Special Orders No. 131, current series, Headquarters Department of Texas, of which Captain C. D. VIELE, 10th Cavalry, is President, were arraigned and tried:

3. Bugler *Harvey H. Duggins*, Co. E, 10th Infantry.

CHARGE I—"Violation of the 32nd Article of War."

(One specification.)

CHARGE II—"Violation of the 33rd Article of War."

(One specification.)

CHARGE III—"Conduct prejudicial to good order and military discipline."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor under charge of the guard for the period of three (3) months, and to forfeit ten (10) dollars per month of his monthly pay for the same period."

4. Private *William Cook*, Co. F, 10th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

(One specification.)

CHARGE II—"Violation of the 20th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor in charge of the guard until December 30, 1876, (when his term of service expires), forfeiting to the United States his monthly pay for the same period."

VI. In the cases of Bugler *Harvey H. Duggins*, Co. E, and Private *William Cook*, Co. F, 10th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

VII. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, September 25, 1876, pursuant to paragraph II, Special Orders No. 171, current series, Headquarters Department of Texas, of which Captain S. T. NORVELL, 10th Cavalry, is President, was arraigned and tried:

5. Musician *John Lewis*, Co. F, 25th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

(One specification.)

CHARGE II—"Violation of the 33rd Article of War."

(One specification.)

CHARGE III—"Conduct to the prejudice of good order and military discipline."

(Seven specifications.)

CHARGE IV—"Desertion."

(One specification.)

PLEA—To the first charge and its specification, "Not Guilty."

To the second charge and its specification, "Guilty."

To the first, second, third, fifth, sixth and seventh specifications, third charge, "Guilty."

To the fourth specification, third charge, "Guilty of taking a drum from, but not guilty of quarreling with, Musician James Harris, Co. F, 25th Infantry."

To the third charge, "Guilty."

To the fourth charge and its specification, "Not Guilty."

FINDING—"Guilty of all the charges and specifications."

SENTENCE—"To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or that may become due, and to be confined in such military prison as the reviewing authority may designate for the period of two (2) years."

VIII. In the case of Musician *John Lewis*, Co. F, 25th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Stockton, Texas, until further orders.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

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## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private James H. Thomas.....Company F, 8th Cavalry;
2. Private John Driscoll ..... Company B, 8th Cavalry;
3. Blacksmith Michael Flanagan .....Company F, 8th Cavalry;
4. Private James Mulligan.....Company H, 10th Infantry.

### AT FORT MCKAVETT, TEXAS.

5. Private David Hall.....Company C, 10th Cavalry.
6. Private James Lowe.....Company C, 10th Cavalry.

### AT SAN ANTONIO, TEXAS.

7. Private Edward Brown.....Company D, 10th Infantry.
8. Private James Condon .....Company D, 10th Infantry.
9. Private Michael Kennedy.....Company G, 11th Infantry.
10. Private William H. McQuillan.....Company B, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *October 4, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 35. }

1. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, and paragraph X, Special Orders No. 160, current series, Headquarters Department of Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, were arraigned and tried:

1. Private James H. Thomas, Co. F, 8th Cavalry.

CHARGE I—"Desertion."

(One specification.)

CHARGE II—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—To the specification, first charge, "Guilty, except the words 'at or near Lieutenant Colonel W. R. Shafter's scouting camp on the Pecos River, Texas,' of the excepted words not guilty."

To the first charge, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING—Of the specification of the first charge, "Guilty, substituting the words 'in Mexico,' instead of 'Lieutenant Colonel W. R. Shafter's scouting camp on the Pecos River, Texas.'"

Of the first charge, "Guilty."

Of the second charge and its specification, "Guilty."

SENTENCE—"To forfeit to the United States all pay and allowances now due or to become due, then to be dishonorably discharged the service of the United States, and confined in such military prison or penitentiary as the reviewing officer may direct for the period of ten (10) years."

2. Private John Driscoll, Company B, 8th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

(Three specifications.)

CHARGE II—"Violation of the 21st Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (\$10) dollars per month of his pay for one (1) year, and to be confined at hard labor in the post

guard house at the post where his company may be serving for one year."

3. Blacksmith *Michael Flanagan*, Co. F, 8th Cavalry.

CHARGE I—"Violation of the 32nd Article of War."

(Three specifications.)

CHARGE II—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States all pay and allowances that are now or may become due him, then to be dishonorably discharged the service of the United States, and to be confined in such military prison as the Department Commander may direct for six months."

4. Private *James Mulligan*, Co. H, 19th Infantry.

CHARGE I—"Violation of the 33rd Article of War."

(One specification.)

CHARGE II—"Violation of the 33th Article of War."

(Two specifications.)

CHARGE III—"Conduct to the prejudice of good order and military discipline."

(Three specifications.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due him, and to be confined in such military prison as the reviewing authority may designate for one year."

II. In the case of Private *James H. Thomas*, Co. F, 8th Cavalry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to five years. As mitigated, the sentence will be duly executed. The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Clark, Texas, until further orders.

In the case of Private *John Driscoll*, Co. B, 8th Cavalry, the proceedings and findings on the first charge and its specifications are approved. The proceedings and findings on the second charge and its specification are disapproved, as the specification, as spread on the record, fails to allege any offense, owing to the omission of a word, probably by clerical error.

For this reason, and the good character and short time the prisoner has been in the service, the sentence is reduced to read *two months*, in place of "one year," and, as mitigated, will be duly executed.

In the case of Blacksmith *Michael Flanagan*, Co. F, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed. The post of Fort Clark, Texas, is designated as the place of confinement.

In the case of Private *James Mulligan*, Co. H, 10th Infantry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to six months. As mitigated, the sentence will be duly executed at Fort Clark, Texas.

III. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, paragraph V, Special Orders No. 105, and paragraph II, Special Orders No. 130, current series, Headquarters Department of Texas, of which Surgeon C. E. GODDARD, Medical Department, is President, were arraigned and tried:



5. Private *David Hall*, Co. C, 10th Cavalry.

CHARGE—"Violation of the 17th Article of War."

(One specification.)

PLEA—"Not Guilty."

FINDING—Of the specification, "Guilty, except the words 'through neglect,' of the excepted words not guilty."

Of the charge, "not guilty." And the court does therefore acquit him.

6. Private *James Lowe*, Co. C, 10th Cavalry.

CHARGE—"Violation of the 39th Article of War."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor under charge of the guard for the period of six months, and to forfeit ten dollars per month of his monthly pay for the same period."

IV. In the case of Private *David Hall*, Co. C, 10th Cavalry, the proceedings, findings and acquittal are approved.

In the case of Private *James Lowe*, Co. C, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

V. Before a General Court Martial which convened at the Post of San Antonio, Texas, on Monday, the 18th day of September, 1876, pursuant to paragraph IV, Special Orders No. 170, and paragraph II, Special Orders No. 174, current series, from these Headquarters, and of which Captain E. E. SELLERS, 10th Infantry, is President, were arraigned and tried:

7. Private *Edward Brown*, Co. D, 10th Infantry.

CHARGE I—"Violation of the 47th Article of War."

(One specification.)

CHARGE II—"Violation of the 17th Article of War."

(One specification.)

CHARGE III—"Violation of the 16th Article of War."

(One specification.)

PLEA—To the specification of the first charge, "Not Guilty, excepting the words 'and did remain absent therefrom until apprehended at San Antonio, Texas, dressed in citizen clothes, on the night of the 20th of May, 1876. This at or near San Antonio, Texas, on or about May 20, 1876,' and of the excepted words, guilty."

To the first charge, "Not Guilty."

To the specification of the second charge, "Guilty, excepting the words 'through neglect, or sell,' and of the excepted words not guilty."

To the second charge, "Not Guilty."

To the third charge and its specification, "Not Guilty."

FINDING—Of the specification of the first charge, "Guilty, excepting the words 'did desert the same,' and substituting therefor the words 'did absent himself from his detachment without leave from his commanding officer,' and of the excepted words not guilty."

Of the first charge, "Not Guilty, but guilty of violation of the 32nd Article of War."

Of the second charge and its specification, "Guilty."

Of the third charge and its specification, "Guilty."

SENTENCE—"To be charged on the muster and pay rolls of his company the sum of thirty-two dollars and thirty-six cents, the value of the ordnance and ordnance stores lost, sold or wasted, by him, providing the same has not already been done; to forfeit to the United States ten dollars

per month of his monthly pay for four months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

8. Private *James Condon*, Co. D, 10th Infantry.

CHARGE—"Violation of the 38th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten dollars of his monthly pay for the period of three months."

The court is thus lenient on account of the previous good character of the accused, as shown by the testimony of his company commander and Lieutenant Duggan, 10th Infantry.

9. Private *Michael Kennedy*, Co. G, 11th Infantry.

CHARGE—"Desertion."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States all pay now due or that may become due him, to be dishonorably discharged the service, and to be confined in such military prison as the reviewing authority may direct for the period of three years."

10. Private *William H. McQuillan*, Co. B, 10th Infantry.

CHARGE—"Desertion."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To make good the time lost by desertion; to be confined at hard labor under charge of the guard at the post where his company may be serving for the period of one year, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

The court is thus lenient on account of the good character given him by his company commander.

VI. In the cases of Privates *Edward Brown* and *James Condon*, Co. D, and *William H. McQuillan*, Co. B, 10th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *Michael Kennedy*, Co. G, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at the Post of San Antonio, Texas, until further orders.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

## CASES TRIED BY A GENERAL COURT MARTIAL,

### AT FORT CLARK, TEXAS.

1. Private John Fallon .....Company F, 8th Cavalry.

### AT FORT CONCHO, TEXAS.

2. Private James Needham.....Company D, 10th Cavalry.

### AT FORT DAVIS, TEXAS.

3. Private Robert French.....Company A, 25th Infantry.

### AT CAMP ON PECOS RIVER, TEXAS.

4. Private Benjamin Burge.....Company B, 10th Cavalry.
5. Private Anthony Davis ..... Company E, 10th Cavalry.
6. Private Theodore Simms.....Company B, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS.

SAN ANTONIO, TEXAS, *September 16, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 34. }

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, and paragraph X, Special Orders No. 160, current series, Headquarters Department of Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, was arraigned and tried:

1. Private *John Fallon*, Co. F, 8th Cavalry.

CHARGE I—"Desertion."

(One specification.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(One specification.)

PLEA—To the first charge and its specification, "Guilty."

To the specification, second charge, "Guilty, except the following articles: one carbine cartridge box, value \$1.85, one thong and wiper, value \$0.60, one pistol screwdriver, value \$0.10, one watering bridle, value \$0.92, one saddle cloth, value \$0.57, one nose bag, value \$1.50, one surcingle, value \$1.00, two bed sacks, value \$1.51, each; of the excepted articles, not guilty."

To the second charge, "Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due him, and to be confined at such military prison or penitentiary as the Commanding General may direct for the period of ten (10) years."

II. In the case of Private *John Fallon*, Co. F, 8th Cavalry, the proceedings, findings and sentence are approved. The term of imprisonment is reduced to five years. As mitigated, the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Clark, Texas, until further orders.

III. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, the 22nd day of June, 1876, pursuant to paragraph VII, Special Orders No. 111, paragraph I, Special Orders No. 130, and paragraph II, Special Orders No. 157, current series, Headquarters Department of Texas, of which Captain F. E. LACKY, 10th Infantry, is President, was arraigned and tried:

2. Private *James Needham*, Co. D, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Of the specification 'Guilty, except the words and figures 'one and one-half pounds of tobacco, of the value of \$1.60, more or less,' and of the excepted words, not guilty.'"

Of the charge, "Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due, and to be confined at such place as the proper authority may designate for the period of six (6) months."

IV. In the case of Private *James Needham*, Co. D, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The post of Fort Concho, Texas, is designated as the place of confinement.

V. Before a General Court Martial which convened at Fort Davis, Texas, on Friday, September 1, 1876, pursuant to paragraph IV, Special Orders No. 157, current series, Headquarters Department of Texas, of which Major Z. R. BLISS, 25th Infantry, is President, was arraigned and tried:

3. Private *Robert French*, Co. A, 25th Infantry.

CHARGE I—"Desertion."

(One specification.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Not Guilty."

And the court does therefore acquit him.

VI. In the case of Private *Robert French*, Co. A, 25th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

VII. Before a General Court Martial which convened at Camp of the Scouting Expedition on Pecos river, Texas, on Thursday, July 6, 1876, pursuant to paragraph IV, Special Orders No. 103, and paragraph III, Special Orders No. 134, current series, Headquarters Department of Texas,

of which First Lieutenant A. C. MARKLEY, 24th Infantry, is President, were arraigned and tried:

4. Private *Benjamin Burge*, Co. B, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

(Two specifications.)

PLEA—To the first specification, "Not Guilty."

To the second specification, "Guilty, except the words 'for the purpose of preventing him from killing the said Private Squire Hines, Co. B, 10th Cavalry,' and to the excepted words, not guilty."

To the charge, "Not Guilty."

FINDING—Of the first specification, "Guilty, except the word 'attempt,' and substituting therefor the word 'threaten.'"

Of the second specification, "Guilty, except the words 'for the purpose of preventing him from killing said Private Squire Hines, Co. B, 10th Cavalry,' and of the excepted words, not guilty."

Of the charge, "Guilty."

SENTENCE—And the court does therefore sentence him, Private *Squire Hines*, Company B, 10th Cavalry, "To forfeit to the United States twelve dollars (\$12.00) of his pay."

The court is thus lenient from the fact that the prisoner appears to be under the impression that he was doing his duty in not giving up his carbine.

5. Private *Anthony Davis*, Co. E, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or to become due, and to be confined at hard labor at such place as the proper authority may direct for one year."

6. Private *Theodore Simms*, Co. B, 10th Cavalry.

CHARGE I—"Violation of the 21st Article of War."

(Three specifications.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(Two specifications.)

PLEA—"Not Guilty."

FINDING—Of the first specification, first charge, "Guilty."

Of the second specification, first charge, "Not Guilty."

Of the third specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the second charge and its specifications, "Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due, and to be confined at such place as the proper authority may direct for one year."

VIII. In the case of Private *Benjamin Burge*, Co. B, 10th Cavalry, the record is fatally defective, owing to the fact that the court, after finding the accused, Private *Benjamin Burge*, Co. B, 10th Cavalry, guilty, have sentenced Private Squire Hines, Co. B, 10th Cavalry, the principal witness, to be punished,—this sentence is disapproved.

It being impracticable to have the court reconvened to act on *Burge's* findings he has been released.

In the case of Private *Anthony Davis*, Co. E, 10th Cavalry, the proceedings, findings and sentence are approved. The period of confinement is reduced to six months. As mitigated, the sentence will be duly executed. The station of his company is designated as the place of confinement.

In the case of Private *Theodore Simms*, Co. B, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be sent to Fort Clark, Texas, where he will be held in confinement until further orders.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *September 13, 1876.*

GENERAL COURT MARTIAL }  
ORDERS No. 33. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, current series, Headquarters Department of Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, was arraigned and tried:

Second Lieutenant *William H. Wheeler*, 11th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline, in violation of the 62nd Article of War."

Specification 1st—"In this, that he, Second Lieutenant *William H. Wheeler*, 11th U. S. Infantry, being on duty as officer of the guard at Fort Brown, Texas, did assault and strike on the head with his sword Peter Butler, a private in Co. 1, 8th U. S. Cavalry, said Private Butler being at the time on duty, marching on guard with his carbine at a 'right shoulder.' This at Fort Brown, Texas, on or about May 16, 1876."

Specification 2nd—"In this, that he, Second Lieutenant *William H. Wheeler*, 11th U. S. Infantry, being on duty as officer of the guard at Fort Brown, Texas, did assault and strike with his sword Charles F. Point, a private in Co. 1, 8th U. S. Cavalry, breaking a hole in the helmet and inflicting a severe cut upon the head of said Private Point, who, at the time of said assault, was on duty, marching on guard with his carbine at a 'right shoulder.' This at Fort Brown, Texas, on or about May 16, 1876."

PLEA—To the specifications, "Guilty."

To the charge, "Not Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States the sum of forty (40) dollars of his pay, and to be reprimanded in General Orders by the Department Commander."

II. In the case of Second Lieutenant *William H. Wheeler*, 11th Infantry, the proceedings, findings and sentence are approved.

The offense of which this officer is found guilty is violation of the 62nd Article of War, in striking two soldiers over the head with his sword while marching under arms in the ranks, cutting through the helmet and inflicting a severe cut upon the head of one of them—this for the alleged reason that, when the order, "carry your arms steady," was given, they failed to obey it.

The conduct of Lieutenant *Wheeler* certainly shows that he had lost his temper and was not in the exercise of sound discretion, or that he is unfit to command from want of appreciation of the dignity becoming an officer and the treatment due to the soldier in the ranks.

If the colonel of his regiment, while drilling it, should repeatedly order Lieutenant *Wheeler* to carry his arms steady, and if he failed, should ride up to him and cut through his helmet into his scalp, the Department Commander might think, were it possible that such an incident could occur, it would enable the lieutenant to understand the character of the offense of which he has been convicted.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

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## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Henry Huffman..... Company D, 11th Infantry.

### AT FORT CLARK, TEXAS.

2. Private John Gale ..... Company H, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, September 7, 1876.

### GENERAL COURT MARTIAL } ORDERS No. 32. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 23, 1876, pursuant to paragraph II, Special Orders No. 108, paragraph V, Special Orders No. 136, and paragraph II, Special Orders No. 137, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, was arraigned and tried:

1. Private *Henry Huffman*, Co. D, 11th Infantry.

CHARGE I—"Violation of the 38th Article of War."

(One specification.)

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

(One specification.)

CHARGE III—"Violation of the 40th Article of War."

(One specification.)

PLEA—"Not Guilty."

FINDING—Of the first charge and its specification, "Guilty."

Of the second charge and its specification, "Not Guilty."

Of the third charge and its specification, "Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due, and to be confined at hard labor in charge of a guard at such place as the reviewing officer may direct for the period of six months."

II. In the case of Private *Henry Huffman*, Co. D, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed. The post of Fort Brown, Texas, is designated as the place of confinement.

III. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, Headquarters Department of Texas, dated July 18, 1876, San Antonio, Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, was arraigned and tried:

2. Private *John Gale*, Co. H, 10th Infantry.

CHARGE I—"Violation of the 3rd Article of War."

(One specification.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—Of the first charge and its specification, "Not Guilty."

Of the specification, second charge, "Guilty, except the words 'asleep on post,' of the excepted words, not guilty, and attach no criminality thereto."

Of the second charge, "Not Guilty."

And the court does therefore acquit him.

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IV. In the case of Private *John Gale*, Co. H, 10th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CONCHO, TEXAS.

1. Private Daniel Biggins .....Company D, 10th Cavalry.
2. Private Benjamin Smith.....Company D, 10th Cavalry.

### AT RINGGOLD BARRACKS, TEXAS.

3. Corporal William W. Andrews.....Company A, 8th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, August 29, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 31. }

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, the 22nd day of June, 1876, pursuant to paragraph VII, Special Orders No. 111, and paragraph I, Special Orders No. 130, current series, Headquarters Department of Texas, of which Captain F. E. LACEY, 10th Infantry, is President, were arraigned and tried:

1. Private *Daniel Biggins*, Co. D, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States; to forfeit all pay now due or that may become due, and to be confined wherever the Department Commander may designate for the period of one year."

2. Private *Benjamin Smith*, Co. D, 10th Cavalry.

CHARGE I—"Violation of the 32nd Article of War."

(One specification.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(Two specifications.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor in charge of the post guard for the period of three months, and to forfeit to the United States ten dollars per month of his pay for the same period."

II. In the case of Private *Daniel Biggins*, Co. D, 10th Cavalry, the prisoner's statement directly contradicts his plea—the court in its findings is governed entirely by the plea. For this reason the Department Commander, while he approves the proceedings, disapproves the findings and sentence.

Private *Biggins* will be released from confinement and returned to duty.

In the case of Private *Benjamin Smith*, Co. D, 10th Cavalry, no evidence having been taken, the statement of the prisoner in connection with his plea is the only data left the Department Commander by which to judge of the circumstances in relation to the offenses charged. It appears from the prisoner's statement that he has been already punished for the offense alleged in the first specification to the second charge, and a portion of those contained in the specification to the first charge; this statement is as good evidence as the plea.

Subject to the foregoing remarks, the proceedings and findings are approved. The sentence is reduced to read: "To be confined at hard labor for one month, and to forfeit ten dollars of his pay," and will be so executed.

III. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, June 1, 1876, pursuant to paragraph VI, Special Orders No. 99, paragraph I, Special Orders No. 120, paragraph V, Special Orders No. 123, current series, Headquarters Department of Texas, of which Captain H. C. COMBIE, 24th Infantry, is President, was arraigned and tried:

3. Corporal *William W. Andrews*, Co. A, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

(One specification.)

CHARGE II—"Violation of the 62nd Article of War."

(Four specifications.)

PLEA—To the first charge and specification, "Not Guilty."

To the first and second specifications, second charge, "Guilty."

To the third and fourth specifications, second charge, "Not Guilty."

To the second charge, "Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be reduced to the ranks, and to forfeit to the United States ten dollars of his monthly pay for the period of six months, and be confined at hard labor for the same time under charge of the guard at the post where his company may be serving."

IV. In the case of Corporal *William W. Andrews*, Co. A, 8th Cavalry, the proceedings, findings and sentence are approved.

In view of the unanimous recommendation to clemency by the members of the court on account of the previous excellent character of the prisoner, as testified to by his company commander, and the long confinement already undergone, the sentence is remitted, except so much as relates to reduction to the ranks. As mitigated, the sentence will be duly executed.

Corporal *Andrews* will be released from confinement and returned to duty as a private soldier.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

Assistant Adjutant General.

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Thomas J. Thompson.....Company H, 8th Cavalry.

### AT FORT CLARK, TEXAS.

2. Musician Samuel Wilson.....Company K, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *August 25, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 30. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, paragraph V, Special Orders No. 136, and paragraph II, Special Orders No. 137, current series, Headquarters Department of Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, was arraigned and tried:

1. Private *Thomas J. Thompson*, Co. H, 8th Cavalry.

CHARGE I—"Desertion."

(One specification.)

CHARGE II—"Violation of the 17th Article of War."

(One specification.)

PLEA—First charge and specification, "Guilty."

Specification second charge, "Guilty, except the word 'sell.'"

Second charge, "Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due, and to be confined at hard labor in charge of a guard in such place as the reviewing authority may direct for the period of three (3) years."

II. In the case of Private *Thomas J. Thompson*, Co. H, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

III. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, Headquarters Department of Texas, dated July 18, 1876, San Antonio, Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, was arraigned and tried:

2. Musician *Samuel Wilson*, Co. K, 10th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Guilty." (The prisoner's statement containing matter in contradiction of his plea, the court directed testimony to be taken).

FINDING—Of the specification, "Guilty, except the words 'and attempt to sell the same for his own benefit,' of the excepted words, not guilty."

Of the charge, "Guilty,"

SENTENCE—"To be confined at hard labor in the post guard house for three (3) months, and, at the termination of his confinement, to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due him."

IV. In the case of Musician *Samuel Wilson*, Co. K, 10th Infantry, the proceedings are approved. The findings and sentence are disapproved, for the reason that the evidence does not sustain the charge.

(Orders have already been issued for his release from confinement).

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp,*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Thomas Daly.....Company C, 11th Infantry.

### AT FORT MCKAVETT, TEXAS.

2. Private Charles A. Pringle:.....Company F, 10th Infantry.
3. Private Michael Grogan.....Company I, 10th Infantry.

### AT RINGGOLD BARRACKS, TEXAS.

4. Private Robert Inkster.....Company M, 8th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, August 21, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 29.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, paragraph V, Special Orders No. 136, and paragraph II, Special Orders No. 137, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, was arraigned and tried:

1. Private *Thomas Daly*, Co. C, 11th Infantry,

CHARGE—"Loss of arms, in violation of the 17th Article of War."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Not Guilty."

And the court does therefore acquit him.

II. In the case of Private *Thomas Daly*, Co. C, 11th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

III. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, paragraph V, Special Orders No. 105, and paragraph II, Special Orders No. 130, current series, Headquarters Department of Texas, of which Surgeon C. E. GODDARD, Medical Department, is President, were arraigned and tried:

2. Private *Charles A. Pringle*, Co. F, 10th Infantry.

CHARGE—"Violation of the 62nd Article of War."

(Eight specifications)

PLEA—To specification first, "Not Guilty."

To specification second, "Not Guilty."

To specification third, "Guilty, except the words 'which statement was knowingly and wilfully false;' and to the excepted words, not guilty."

To specification fourth, "Not Guilty."

To specification fifth, "Guilty."

To specification sixth, "Guilty."

To specification seventh, "Guilty, except the word 'unlawfully,'

and to the excepted word, not guilty."

To specification eighth, "Guilty, except the word 'carelessness,' and to the excepted word, not guilty."

To the charge, "Guilty."

FINDING—*Nolle prosequi* entered to specifications first and second. Guilty of the remainder.

SENTENCE—"To forfeit to the United States twelve (12) dollars of his monthly pay for one (1) month, and to be confined at hard labor under charge of the guard at the post where his company may be serving for one (1) month."

3. Private *Michael Grogan*, Co. I, 10th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

(Three specifications.)

PLEA—To specification first, "Not Guilty."

To specification second, "Not Guilty."

To specification third, plea in bar sustained by court.

To the charge, "Not Guilty."

FINDING—Of specification first, "Not Guilty."

Of specification second, "Guilty."

Of the charge, "Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars of his monthly pay for one month."

IV. In the cases of Privates *Charles A. Pringle*, Co. F, and *Michael Grogan*, Co. I, 10th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

V. Before a General Court-Martial which convened at Ringgold Barracks, Texas, on Thursday, June 1, 1876, pursuant to paragraph VI, Special Orders No. 90, paragraph I, Special Orders No. 120, paragraph V, Special Orders No. 123, current series, Headquarters Department of Texas, of which Captain H. C. CORBIN, 24th Infantry, is President, was arraigned and tried:

4. Private *Robert Inkster*, Co. M, 8th Cavalry.

CHARGE—"Drunk on duty."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor for two (2) months under charge of the guard at the post where his company may be serving, and to forfeit ten dollars (\$10) per month of his pay for the same period."

The court is thus lenient on account of the prisoner's good character, as shown by the evidence, and the confinement already undergone.

VI. In the case of Private *Robert Inkster*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private James Devine, . . . . . Company K, 10th Infantry.
2. Corporal Augustus St. Clair, . . . . . Company K, 10th Infantry.

### HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, August 14, 1876.

#### GENERAL COURT MARTIAL { ORDERS No. 28. }

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, Headquarters Department of Texas, dated July 18, 1876, San Antonio, Texas, of which Captain J. N. CRAIG, 10th Infantry, is President, and Second Lieutenant WILLIAM PAULDING, 10th Infantry, Judge Advocate, were arraigned and tried:

1. Private *James Devine*, Co. K, 10th Infantry.

CHARGE—"Sleeping on post."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (\$10) dollars of his monthly pay for the period of six (6) months, and to be confined at hard labor in charge of the guard at the post his company may be serving at for the same period."

2. Corporal *Augustus St. Clair*, Co. K, 10th Infantry.

CHARGE I—"Drunkenness on duty."

(One specification.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be reduced to the ranks, and to forfeit to the United States ten (\$10) dollars of his monthly pay for the period of six (6) months."

II. In the case of Private *James Devine*, Co. K, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Corporal *Augustus St. Clair*, Co. K, 10th Infantry, the proceedings, findings and sentence are approved. The sentence is reduced to read *three months* in place of "six (6) months," and, as mitigated, will be duly executed.

Corporal *St. Clair* will be released from arrest and returned to duty as a private soldier.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private John Carney, ..... Company H, 8th Cavalry.
2. Private Wilhelm Kritz, ..... Company H, 8th Cavalry.
3. Private William Jackson, ..... Company I, 8th Cavalry.
4. Private William Osborn, ..... Company I, 8th Cavalry.
5. Private Frank Dacy, ..... Company I, 8th Cavalry.
6. Private Frank Daley, ..... Company L, 8th Cavalry.

### AT RINGGOLD BARRACKS, TEXAS.

7. Private Joseph Burns, ..... Company M, 8th Cavalry.
8. Private Michael Hayes, ..... Company M, 8th Cavalry.
9. Private Frederick K. Mason, ..... Company M, 8th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *August 12, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 27.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 23, 1876, pursuant to paragraph II, Special Orders No. 108, paragraph V, Special Orders No. 136, and paragraph II, Special Orders No. 137, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *John Carney*, Co. H, 8th Cavalry.

CHARGE I—"Desertion."

(One specification.)

CHARGE II—"Violation of the 17th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States; to forfeit all pay and allowances due, and to be confined in such military prison as the Department Commander may direct for the period of three (3) years."

2. Private *Wilhelm Kritz*, Co. H, 8th Cavalry.

CHARGE I—"Desertion."

(One specification.)

CHARGE II—"Violation of the 17th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due, and to be confined in such military prison as the Department Commander may direct for the period of three (3) years."

3. Private *William Jackson*, Co. I, 8th Cavalry.

CHARGE I—"Violation of the 32nd Article of War."

(One specification.)

CHARGE II—"Violation of the 33rd Article of War."

(Nineteen specifications.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined at hard labor under charge of the post guard for the period of two (2) months, and to forfeit to the United States the sum of twelve (12) dollars of his pay."

II. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, Headquarters Department of Texas, dated June 13, 1876, San Antonio, Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *William Osborn*, Co. I, 8th Cavalry.

CHARGE I—"Drunkenness on duty, in violation of the 38th Article of War."

(One specification.)

CHARGE II—"Conduct to the prejudice of good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Guilty."

SENTENCE—"To be confined ten (10) days in the post guard house, and to forfeit ten (\$10) dollars of his pay for one month."

5. Private *Frank Daley*, Co. L, 8th Cavalry.

CHARGE—"Desertion."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Of the specification, 'Guilty, except the word 'desert,' and substituting therefor the words 'absent himself from,' and of the excepted word, not guilty."

Of the charge, "Not guilty, hut guilty of 'absence without leave.'"

SENTENCE—"To forfeit to the United States (\$10) dollars of his monthly pay for the period of three (3) months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

6. Private *Frank Daley*, Co. L, 8th Cavalry.

CHARGE—"Desertion."

(One specification.)

PLEA—"Not Guilty."

FINDING—"Of the specification, 'Guilty, except the word 'desert,' and substituting therefor the words 'absent himself without leave from,' and of the excepted words, not guilty.'"

Of the charge, "Not guilty, hut guilty of 'absence without leave.'"

SENTENCE—"To be confined in charge of a guard for the period of two (2) months, and to forfeit to the United States the sum of ten (\$10) dollars of his pay per month for the same period."

III. In the case of Private *John Carney*, Co. H, 8th Cavalry, the proceedings, findings and sentence are approved. In view of the unanimous recommendation to mercy by the members of the court the term of confinement is reduced to one (1) year. As mitigated, the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Private *Wilhelm Kritz*, Co. H, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the cases of Privates *William Jackson* and *William Osborn*, Co. I, and *Frank Daley*, Co. L, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *Frank Dacy*, Co. L, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read *two (2) months* in place of "three (3) months," and, as mitigated, will be duly executed.

IV. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, June 1, 1876, pursuant to paragraph VI, Special Orders No. 90, paragraph I, Special Orders No. 120, paragraph V, Special Orders No. 123, current series, Headquarters Department of Texas, of which Captain H. C. CORBIN, 24th Infantry, is President, and Second Lieutenant J. I. KANE, 24th Infantry, Judge Advocate, were arraigned and tried:

7. Private *Joseph Burns*, Co. M, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (\$10) dollars of his monthly pay for the period of three (3) months, and to be confined at hard labor for the same period under charge of the guard at the post where his company may be serving."

8. Private *Michael Hayes*, Co. M, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

(One specification.)

PLEA—"Guilty."

FINDING—"Guilty."

SENTENCE—"To forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months, and to be confined at hard labor for the same period under charge of the guard at the post where his company may be serving."

9. Private *Frederick K. Mason*, Co. M, 8th Cavalry.

CHARGE I—"Drunk on duty."

(One specification.)

CHARGE II—"Conduct prejudicial to good order and military discipline."

(One specification.)

PLEA—"Not Guilty."

**FINDING**—Of the first charge and its specification, "Not Guilty."

Of charge second and its specification, "Guilty."

**SENTENCE**—"To forfeit to the United States ten dollars (\$10.00) of his monthly pay for one month, and to be confined at hard labor for the same period, under charge of the guard, at the post where his company may be serving."

The court is thus lenient on account of the length of time the prisoner has already passed in confinement.

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V. In the cases of Privates *Joseph Burns*, *Michael Hayes*, and *Frederick K. Mason*, Co. M, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private John Fletcher ..... Company H, 9th Cavalry.
2. Private George Sowles ..... Company L, 8th Cavalry.
3. Sergeant James Meehan ..... Company C, 11th Infantry.
4. Private John Keffer ..... Company I, 11th Infantry.
5. Sergeant Robert Merritt ..... Company E, 24th Infantry.

### AT FORT CLARK, TEXAS.

6. Private Charles H. Drew ..... Company K, 10th Infantry.

### AT FORT DAVIS, TEXAS.

7. Private Dickson Hunter... ..... Company H, 10th Cavalry.

### AT FORT MCKAVETT, TEXAS.

8. Private Frank W. Smith ..... Company F, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, August 5, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 26. }

1. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph H, Special Orders No. 108, Headquarters Department of Texas, dated June 13, 1876, San Antonio, Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private John Fletcher, Co. H, 9th Cavalry.

CHARGE—"Desertion, in violation of the 47th Article of War."

SPECIFICATION—"In that Private John Fletcher, Co. H, 9th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Brown, Texas, on or about July 23, 1875, and did remain absent until apprehended at Fort Brown, Texas, on or about March 27, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private John Fletcher, Co. H, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that [are] or may become due, and to be confined at hard labor in such place as the reviewing authority may direct for the period of three (3) years."

2. Private George Sowles, Co. L, 8th Cavalry.

CHARGE—"Drunk on duty."

Specification—"In that Private *George Sowles*, Co. L, 8th Cavalry, being a duly mounted member of the post guard, was, while on said duty, found drunk. This at Fort Brown, Texas, on or about June 21, 1876."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Sowles*, Co. L, 8th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months, and to be confined in charge of the guard at such place as the reviewing officer may direct for the same period."

3. Sergeant *James Meehan*, Co. C, 11th Infantry.

CHARGE I—"Violation of the 21st Article of War."

Specification—"In this, that he, Sergeant *James Meehan*, Co. C, 11th Infantry, while acting as sergeant of the post guard at Fort Brown, Texas, did allow and cause a bottle of intoxicating liquor to be furnished a deserter in confinement in the post guard house. This at Fort Brown, Texas, on or about the 16th day of July, 1876."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Sergeant *James Meehan*, Co. C, 11th Infantry, while acting as sergeant of the post guard at Fort Brown, Texas, did send Private *John W. Bell*, Co. D, 11th Infantry, (a member of the post guard), into the City of Brownsville for the purpose of obtaining a bottle of intoxicating liquor for the use of a deserter who was at the time in confinement in the post guard house. This at or near Fort Brown, Texas, on or about the 16th day of July, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and its specification, "Not Guilty."

Of charge second and its specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *James Meehan*, Co. C, 11th Infantry, "To be reduced to the rank of a private, and to be confined in the post guard house for one (1) month, and to forfeit to the United States the sum of ten (10) dollars of his pay for the same period."

4. Private *John Keffer*, Co. I, 11th Infantry.

CHARGE I—"Violation of the 32nd Article of War."

Specification—"In this, that he, Private *John Keffer*, of Co. I, 11th Infantry, did absent himself from his company and post, without permission from proper authority, from about 10 o'clock A. M., on the morning of July 18, 1876, and did remain so absent until about 3 o'clock P. M., on the 19th day of July, 1876. This at Fort Brown, Texas."

CHARGE II—"Violation of the 33rd Article of War."

Specification—"In this, that he, Private *John Keffer*, of Co. I, 11th Infantry, did fail to appear at the proper place of rendezvous of his company at drill, retreat and tattoo roll-calls on the 18th day of July, 1876, and at reveille roll-call on the 19th day of July, 1876. This at Fort Brown, Texas."



CHARGE III—"Conduct prejudicial to good order and military discipline."

*Specification 1st*—"In this, that he, Private *John Keffer*, of Co. I, 11th Infantry, having been regularly detailed and mounted as supernumerary of the guard on the morning of the 18th of July, 1876, did, without authority, absent himself from his company and post from about 10 o'clock A. M., same date, until about 3 o'clock P. M., July 19, 1876, thereby failing to be in readiness for guard duty in case he was called for. This at Fort Brown, Texas, on or about the 18th day of July, 1876."

*Specification 2nd*—"In this, that he, Private *John Keffer*, of Co. I, 11th Infantry, having been regularly detailed and mounted as supernumerary of the guard on the 18th July, 1876, and knowing that if he was not called upon for duty during that day that he would be for guard on the morning of July 19, 1876, did wilfully, and for the purpose of evading the performance of said duty, absent himself from his company and post, without proper authority, from about 10 o'clock A. M., on July 18, 1876, until about 3 o'clock P. M., July 19, 1876. This at Fort Brown, Texas."

*Specification 3rd*—"In this, that he, Private *John Keffer*, of Co. I, 11th Infantry, was so much under the influence of intoxicating liquor as to render him totally unable to perform the duties of a soldier. This at Fort Brown, Texas, on the 19th day of July, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Keffer*, Co. I, 11th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for one (1) month, and to be confined at hard labor at the post where his company may be serving for the same period."

5. Sergeant *Robert Merritt*, Co. E, 24th Infantry.

CHARGE I—"Violation of the 47th Article of War."

*Specification*—"In this, that Sergeant *Robert Merritt*, Co. E, 24th Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 23rd of June, 1876, desert the same, and remain so absent until the night of the 29th of June, 1876, when he voluntarily made his appearance in his company barracks. This at or near Fort Brown, Texas."

CHARGE II—"Violation of the 60th Article of War."

*Specification*—"In this, that Sergeant *Robert Merritt*, of Co. E, 24th Infantry, being in charge of the arms and ammunition of his company, did, knowingly and wilfully, misappropriate or dispose of four hundred and thirty-five (435) rounds of rifle ball cartridges, calibre .45, of the value of \$13.05, the property of the United States, furnished and intended for the military service thereof, and for which Captain J. W. Clous, 24th Infantry, is responsible. This at or near Fort Brown, Texas, on or about the 23rd day of June, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, charge first, "Guilty, except the words 'desert the

same,' and substituting therefor the words 'absent himself without leave;' of the excepted words, not guilty."

Of charge first, "Not guilty, but guilty of 'absence without leave.'"

Of the second charge and its specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Sergeant *Robert Merritt*, Co. E, 24th Infantry, "To be reduced to the ranks; to be dishonorably discharged the service of the United States; to forfeit all pay and allowances due or that may become due, and to be confined in such place as the Department Commander may designate for six (6) months."

II. In the case of Private *John Fletcher*, Co. H, 9th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Private *George Soules*, Co. L, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The post where his company may be serving is designated as the place of confinement.

In the case of Sergeant *James Meehan*, Co. C, 11th Infantry, the proceedings on the first charge and specification are disapproved, because the offence alleged in the specification, *i. e.* bringing liquor to prisoners, cannot be properly laid under the 21st Article of War, which relates to offering violence against, striking, or disobeying the orders of a superior officer only.

The proceedings on the second charge and specification are approved. The findings and sentence are approved, and the sentence will be duly executed.

(These charges were referred direct to the court by the post commander without reference to these Headquarters).

In the case of Private *John Keffer*, Co. I, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Sergeant *Robert Merritt*, Co. E, 24th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The post of Fort Brown, Texas, is designated as the place of confinement.

III. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, July 24, 1876, pursuant to paragraph IV, Special Orders No. 134, Headquarters Department of Texas, dated June 13, 1876, San Antonio, Texas, of which Captain *J. N. CRAIG*, 10th Infantry, is President, and Second Lieutenant *WILLIAM PAULDING*, 10th Infantry, Judge Advocate, was arraigned and tried:

G. Private *Charles H. Drew*, Co. K, 10th Infantry.

CHARGE I—"Sleeping on post."

Specification—"In this, that Private *Charles H. Drew*, of Co. K, 10th Infantry, was found sleeping on his post, after having been duly posted as a sentinel. This at Fort Clark, Texas, on or about the 12th day of July, A. D. 1876."

CHARGE II—"Drunkenness on duty."

Specification—"In this, that Private *Charles H. Drew*, of K Co., 10th Infan-

try, was found drunk on duty as a sentinel of the main post guard. This at Fort Clark, Texas, on or about the 12th day of July, A. D. 1876."

To which charges and specifications the accused pleaded as follows:

To the first charge and its specification, "Guilty."

To the second charge and its specification, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and its specification, "Guilty."

Of the second charge and its specification, "Not Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles H. Drew*, Co. K, 10th Infantry, "To forfeit to the United States ten (\$10) dollars of b's pay for the period of six (6) months, and to be confined at hard labor in charge of the guard for the same period at the post where his company may be serving."

IV. In the case of Private *Charles H. Drew*, Co. K, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

V. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, April 27, 1876, pursuant to paragraph IV, Special Orders No. 68, and paragraph III, Special Orders No. 130, current series, Headquarters Department of Texas, of which Captain D. D. VAN VALZAH, 25th Infantry, is President, and First Lieutenant E. J. STIVERS, 25th Infantry, Judge Advocate, was arraigned and tried:

7. Private *Dickson Hunter*, Co. H, 10th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

SPECIFICATION—"That he, Private *Dickson Hunter*, of Co. H, 10th Cavalry, being at the sink of Co. H, 10th Cavalry, while a sentinel (Private William Jackson, Co. I, 25th Infantry) was there with a prisoner, did talk to said prisoner, (Private Robert Miller, Co. H, 10th Cavalry), and on being ordered to stop did refuse to do so; and on being told that if he did not he (the sentinel) would take him to the sergeant of the guard, did say 'God damn you; you won't take me anywhere;' and when the sentinel attempted to do so the said Private *Hunter* tried to disarm him. This at Fort Davis, Texas, on the 27th of June, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Not Guilty."

And the court does therefore acquit him, Private *Dickson Hunter*, Co. H, 10th Cavalry.

VI. In the case of Private *Dickson Hunter*, Co. H, 10th Cavalry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

VII. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, paragraph V, Special Orders No. 105, and paragraph II, Special Orders No. 130, current series, Headquarters Department of Texas, of

which Surgeon C. E. GODDARD, Medical Department, is President, and Second Lieutenant ALURED LARKE, 10th Infantry, Judge Advocate, was arraigned and tried:

8. Private *Frank W. Smith*, Co. F, 10th Infantry.

CHARGE I—"Violation of the 39th Article of War."

*Specification*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, having been regularly posted as a sentinel over a Government train and other property pertaining to an escort to S. M. Horton, Assistant Surgeon, U. S. Army, while returning from Austin, Texas, to Fort McKavett, Texas, did quit his post before being regularly relieved. This at or near Oatmanville, Texas, on or about the night of June 8, 1876."

CHARGE II—"Desertion."

*Specification*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Oatmanville, Texas, on or about the night of June 8, 1876; and did remain absent from said service until delivered up as a prisoner at Austin, Texas, on or about June 9, 1876."

CHARGE III—"Violation of the 60th Article of War."

*Specification 1st*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, did steal two (2) mules, one (1) saddle and one (1) bridle, the property of the United States, for which First Lieutenant Gregory Barrett, Jr., 10th Infantry, R. Q. M., and A. A. Q. M., Fort McKavett, Texas, is responsible. This at or near Oatmanville, Texas, on or about the night of June 8, 1876."

*Specification 2nd*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, did steal two (2) wall tents, the property of the United States, for which First Lieutenant Gregory Barrett, Jr., 10th Infantry, R. Q. M., and A. A. Q. M., Fort McKavett, Texas, is responsible. This at or near Oatmanville, Texas, on or about the night of June 8, 1876."

CHARGE IV—"Violation of the 17th Article of War."

*Specification*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, did sell, or through neglect lose, one canteen and strap, value twenty-nine cents, and two (2) great coat straps, value twenty-seven cents, for which Second Lieutenant H. B. Chamberlain, 10th Infantry, is responsible. This at or near Oatmanville, Texas, on or about June 8, 1876."

CHARGE V—"Violation of the 16th Article of War."

*Specification*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, did sell, or wilfully, or through neglect waste, twenty-four (24) ball cartridges, calibre .45, value one dollar and forty-four cents (\$1.44), for which Second Lieutenant H. B. Chamberlain, 10th Infantry, is responsible. This at or near Oatmanville, Texas, on or about June 8, 1876."

CHARGE VI—"Theft, to the prejudice of good order and military discipline."

*Specification*—"In this, that Private *Frank W. Smith*, Co. F, 10th Infantry, did steal one carbine, valued at twenty (20) dollars, more or less, the property of Henry Jones, (colored), citizen. This at or near Oatmanville, Texas, on or about June 8, 1876."

To which charges and specifications the accused pleaded as follows:

To the first specification, third charge, "Guilty."

To the second specification, third charge, "Not Guilty."

To the third charge,	"Guilty."
To all the other charges and specifications,	"Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, third charge,	"Guilty."
Of the second specification, third charge,	"Not Guilty."
Of the third charge,	"Guilty."
Of all the other charges and specifications,	"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Frank W. Smith*, Co. F, 10th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due, or that may become due him, the just dues of the laundress excepted, and to be confined at hard labor at such military prison as the proper authority may designate for the period of eight (8) years."

VIII. In the case of Private *Frank W. Smith*, Co. F, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The Leavenworth Military Prison, Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort McKavett, Texas, until further orders.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *July 24, 1876.*

GENERAL COURT MARTIAL {  
ORDERS No. 25. }

I. Before a General Court Martial which convened at Camp of the Scouting Expedition on Pecos river, Texas, on Thursday, July 6, 1876, pursuant to paragraph IV, Special Orders No. 103, Headquarters Department of Texas, dated June 7, 1876, San Antonio Texas, of which First Lieutenant A. C. MARKLEY, 24th Infantry, is President, and Second Lieutenant T. W. JONES, 10th Cavalry, Judge Advocate, was arraigned and tried:

1. Private *Joseph Sharp*, Co. E, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that he, Private *Joseph Sharp*, Co. E, 10th Cavalry, did create a disturbance in the company street. This at camp on Pecos river, Texas, July 11, 1876."

*Specification 2nd*—"In this, that he, Private *Joseph Sharp*, Co. E, 10th Cavalry, when ordered by Sergeant Johnson, same company—the sergeant being at the time in the discharge of his duty—to stop his fussing and attend to his duty, did use foul and abusive language to the said sergeant; and did strike the said sergeant. This at camp on Pecos river, Texas, on or about July 11, 1876."

*Specification 3rd*—"In this, that he, Private *Joseph Sharp*, Co. E, 10th Cavalry, did threaten to shoot or kill Sergeant Johnson, Co. E, 10th Cavalry. This while the said sergeant was taking him (*Sharp*) to the guard house, for misconduct. This at camp on Pecos river, Texas, July 11, 1876."

To which charge and specifications the accused pleaded:

To the first specification,

"Guilty."

To the second and third specifications,

"Not Guilty."

To the charge,

"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,

"Guilty."

Of the second and third specifications,

"Not Guilty."

Of the charge,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Sharp*, Co. E, 10th Cavalry, "To be confined, and carry a log weighing twenty-five (25) pounds from sunrise to sunset for five days, with one intermission of one-half ( $\frac{1}{2}$ ) hour each day, and to forfeit to the United States ten (\$10) dollars of his pay."

II. In the case of Private *Joseph Sharp*, Co. E, 10th Cavalry, the proceedings, findings and sentence are disapproved, for the reason that the record fails to show that the Judge Advocate of the court was sworn.

(Orders have already been issued for his release from confinement).

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*





## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Joseph Daly.....Company D, 11th Infantry.

### AT FORT DAVIS, TEXAS.

2. Private George Washington, 1st.....Company D, 25th Infantry.
3. Private Joseph Johnson.....Company E, 25th Infantry.

### AT CAMP ON PECOS RIVER, TEXAS.

4. Sergeant Peter Cleyborne .....Company B, 10th Cavalry.
5. Private Charles Williams .....Company E, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *July 19, 1876.*

### GENERAL COURT MARTIAL { ORDERS NO. 24. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph II, Special Orders No. 108, Headquarters Department of Texas, dated June 13, 1876, San Antonio, Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, was arraigned and tried:

1. Private *Joseph Daly*, Co. D, 11th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline, in violation of the 62nd Article of War."

Specification—"In this, that he, Private *Joseph Daly*, Company D, 11th Infantry, did, through criminal carelessness, discharge a pistol, loaded with ball cartridge, thereby inflicting a mortal wound on the body of Private Alexander Blum, Co. D, 11th Infantry, whereof he, the said Private Blum, died. This at Fort Brown, Texas, on the 1st day of June, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Joseph Daly*, Co. D, 11th Infantry, "To be confined in the post guard-house where his company is serving for the period of one (1) year, and to forfeit to the United States ten (\$10) dollars of his monthly pay for the same period."

II. In the case of Private *Joseph Daly*, Co. D, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, April 27, 1876, pursuant to paragraph IV, Special

Orders No. 68, current series, Headquarters Department of Texas, of which Captain D. D. VAN VALZAH, 25th Infantry, is President, and Second Lieutenant J. C. ORD, 25th Infantry, Judge Advocate, were arraigned and tried:

2. Private *George Washington*, 1st, Co. D, 25th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *George Washington*, 1st, Co. D, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about September 7, 1872, at Fort Quitman, Texas, and did so remain absent until arrested by Captain D. D. Van Valzah, 25th Infantry, at Fort Davis, Texas, on or about May 16, 1876."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *George Washington*, 1st, Co. D, 25th Infantry, not having a regular discharge from the regiment or company in which he last served, did, on the 7th day of December, 1875, at Saint Louis Barracks, Missouri, enlist himself again in the service of the United States as a soldier, under the name of *George Washington*."

CHARGE III—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George Washington*, 1st, Co. D, 25th Infantry, did feloniously steal, take, carry away, and appropriate to his own use and benefit, one (1) Springfield rifled musket, calibre .50, of the value of fifty (\$50) dollars; fifty (50) centre primed metallic ball cartridges, calibre .50, of the value of three (\$3) dollars; one (1) screw driver, of the value of thirty-eight (38) cents, and one (1) set of infantry accoutrements, value unknown. This at Fort Quitman, Texas, on or about the 7th day of September, 1872."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *George Washington*, 1st, Co. D, 25th Infantry, "To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and to be confined in such military prison as the reviewing authority may direct for the period of two (2) years."

The court is thus lenient in consideration of the former good character of the accused as appears in testimony.

3. Private *Joseph Johnson*, Co. E, 25th Infantry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In this, that he, Private *Joseph Johnson*, Co. E, 25th Infantry, a member of the post guard, and being regularly posted as a sentinel on post No. 4, in the Quartermaster's corral, was found sleeping on his post. This at Fort Davis, Texas, between the hours of 8 and 10 o'clock P. M., on the 23rd day of May, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Joseph Johnson*, Co. E, 25th Infantry, "To forfeit to the United States ten (\$10) dollars per month of his monthly pay for the period of four (4) months, and to be confined in charge of the guard at the post where his company is serving for the same period."

IV. In the cases of Privates *George Washington*, 1st, Co. D, and *Joseph Johnson*, Co. E, 25th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *George Washington*, 1st, Co. D, 25th Infantry, the Leavenworth Military Prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Davis, Texas, until further orders.

V. Before a General Court Martial which convened at Camp of the Scouting Expedition on Pecos river, Texas, on Thursday, July 6, 1876, pursuant to paragraph IV, Special Orders No. 103, Headquarters Department of Texas, dated June 7, 1876, San Antonio Texas, of which First Lieutenant A. C. MARKLEY, 24th Infantry, is President, and Second Lieutenant T. W. JONES, 10th Cavalry, Judge Advocate, were arraigned and tried:

4. Sergeant *Peter Cleyborne*, Co. B, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Peter Cleyborne*, Co. B, 10th Cavalry, did say, in a loud and disrespectful tone, to his company commander, Second Lieutenant E. S. Beacom, 24th Infantry, 'what have I done to you that you say you will have me reduced, and all the non-commissioned officers, from the first sergeant down?' or words to that effect."

Specification 2nd—"In this, that he, Sergeant *Peter Cleyborne*, Co. B, 10th Cavalry, did, when ordered to his quarters in arrest by his company commander, Second Lieutenant E. S. Beacom, 24th Infantry, say, in a disrespectful tone and in an insubordinate manner, 'I'll go, but I don't see what I have done.'"

Specification 3rd—"In this, that he, Sergeant *Peter Cleyborne*, Co. B, 10th Cavalry, did, after entering his tent, tear his chevrons off his coat, and continued talking, in disobedience of orders, until removed to the guard house. All this at camp on Pecos river, Texas, on or about July 2, 1876."

To which charge and specifications the accused pleaded:

To the first and second specifications,

"Guilty."

To the third specification,

"Not Guilty."

To the charge,

"Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Sergeant *Peter Cleyborne*, Co. B, 10th Cavalry, "To be reduced to the ranks, and to be confined at hard labor at the station where his company may be serving for three months, forfeiting to the United States ten (\$10) dollars per month of his monthly pay for the same period."

5. Private *Charles Williams*, Co. E, 10th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In that he, Private *Charles Williams*, Co. E, 10th Cavalry, having been duly posted—No. 2, of the first relief—at the picket line of Co. E, 10th Cavalry, and having been duly mounted as a member of the stable guard, was found sleeping on his post, and sitting down, at the visit of the officer of the day, between the hours of 1 and 3 A. M., June 22, 1876. This at Camp of Scouting Expedition on the Pecos river, Texas, on the date above specified."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles Williams*, Co. E, 10th Cavalry, "To be dishonorably discharged the service of the United States, forfeiting to the United States all pay and allowances that are now or that may become due him, and to be confined at hard labor for the period of one (1) year in such military prison as the proper authority may designate."

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VI. In the case of Sergeant *Peter Cleyborne*, Co. B, 10th Cavalry, the proceedings are approved.

The findings and sentence are disapproved, for the reason that nothing appears in the evidence to sustain the charge or the disrespectful conduct alleged in the specification.

He will be released from arrest and returned to duty.

In the case of Private *Charles Williams*, Co. E, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be sent under guard to Fort Clark, Texas, where he will be held in confinement until further orders.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Henry Anderson..... Company C, 8th Cavalry.
2. Sergeant Simon Seward..... Company C, 8th Cavalry.
3. Private Cornelius Hefferman..... Company I, 8th Cavalry.
4. Private S. D. Phillips..... Company I, 8th Cavalry.
5. Private William Allen..... Company L, 8th Cavalry.
6. Private John Carty..... Company C, 8th Cavalry.

### AT FORT STOCKTON, TEXAS.

7. Private William Humans..... Company M, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *July 13, 1876.*

### GENERAL COURT MARTIAL / ORDERS NO. 23. }

1. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, June 22, 1876, pursuant to paragraph 11, Special Orders No. 108, Headquarters Department of Texas, dated June 13, 1876, San Antonio, Texas, of which Captain L. T. MORRIS, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private Henry Anderson, Co. C, 8th Cavalry.

CHARGE—"Drunkenness, to the prejudice of good order and military discipline."

(Seven specifications setting forth several acts of drunkenness on May 20, July 15, August 7, September 30, 1875, and February 26, March 17 and 26, 1876).

CHARGE II—"Drunkenness on duty, in violation of the 38th Article of War."

Specification 1st—"In that he, Private Henry Anderson, C Co., 8th Cavalry, having been duly detailed as room orderly of his company, was found drunk while on such duty. This at Fort Brown, Texas, on or about May 3, 1876."

Specification 2nd—"In that he, Private Henry Anderson, C Co., 8th Cavalry, at the afternoon stable duty of his company, was drunk. This at Fort Brown, Texas, on or about May 4, 1876."

To which charges and specifications the accused pleaded:

To the first, second, third and fifth specifications, first charge, "Not Guilty."

To the fourth, sixth and seventh specifications, first charge, "Guilty."

To the first charge, "Not Guilty."

To the second charge and its specifications, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Henry Anderson*, Co. C, 8th Cavalry, "To be dishonorably discharged the service of the United States, and to forfeit all pay that is due, or that may become due, except the just dues of the laundress, and to be confined in charge of the guard for the period of two (2) months."

2. Sergeant *Simon Seward*, Co. C, 8th Cavalry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In that he, Sergeant *Simon Seward*, Co. C, 8th Cavalry, having had two carbines (Springfield, calibre .45) turned in to him for safe keeping by certain enlisted men of a detachment of Co. C, 8th Cavalry, and of which detachment he was in charge, did fail to properly care for said arms. This at Fort Brown, Texas, on or about February 22, 1876."

CHARGE II—"Violation of the 40th Article of War."

Specification—"In that he, Sergeant *Simon Seward*, Co. C, 8th Cavalry, having been duly mounted as a non-commissioned officer in charge of the stable guard of his company, did, without permission from proper authority, and without urgent necessity, quit the same. This at or near Fort Brown, Texas, on or about May 1, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Sergeant *Simon Seward*, Co. C, 8th Cavalry, "To be reduced to the grade of a private soldier, and to be confined at hard labor at such place as the Commanding General may direct for the period of three (3) months, and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

3. Private *Cornelius Hefferman*, Co. I, 8th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline, in violation of the 62nd Article of War."

Specification 1st—"In that he, *Cornelius Hefferman*, private I Co., 8th Cavalry, did, without just cause or provocation, engage in a fight with Private *J. Fletcher*, H Co., 9th Cavalry, a general prisoner in the guard house at Fort Brown, Texas. This at Fort Brown, Texas, June 2, 1876."

Specification 2nd—"In that he, *Cornelius Hefferman*, private I Co., 8th Cavalry, when ordered by Corporal *J. C. Hansom*, D Co., 11th Infantry, corporal of the guard, in the execution of his office, to desist fighting and come with him from the prison room, fail to obey said order and leave said place until required to do so by force. Date and place the same as above."

Specification 3rd—"In that he, *Cornelius Hefferman*, I Co., 8th Cavalry, did call Privates *W. Weddington* and *E. Colbert*, 24th Infantry, members of the guard and acting under the orders of the officer of the guard in ejecting said *Hefferman* from the prison room at Fort Brown, Texas, 'damned nigger sons of bitches,' or words to that effect; and did say that he would 'get even with them.' This at Fort Brown, Texas, on or about June 2, 1876."

To which charge and specifications the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Cornelius Heffernan*, Co. I, 8th Cavalry, "To be confined at hard labor in charge of the guard at such place as the Commanding General of the Department may direct for the period of six months."

4. Private *S. D. Phillips*, Co. I, 8th Cavalry.

CHARGE I—"Violation of the 40th Article of War."

Specification—"In that *Samuel D. Phillips*, Private I Co., 8th Cavalry, having been properly mounted as a member of the post guard, did, without proper authority, quit the said guard. This at or near Fort Brown, Texas, on or about the 2nd day of June, 1876."

CHARGE II—"Desertion."

Specification—"In that *Samuel D. Phillips*, Private I Co., 8th Cavalry, a duly enlisted soldier in the Army of the United States, did desert the same. This at or near Fort Brown, Texas, on or about the 2nd day of June, 1876."

CHARGE III—"Violation of the 17th Article of War."

Specification—"In that *Samuel D. Phillips*, private I Co., 8th Cavalry, did, through neglect, lose the following articles, the property of the United States, and for which Second Lieutenant *J. Burke Hickey*, 8th Cavalry, is responsible, viz: one (1) saddle, value \$13.69, one (1) saddle blanket, value \$4.00, one (1) curb bridle, value \$4.34, one (1) watering bridle, value \$0.92, one (1) curry comb, value \$0.30, one (1) horse brush, value \$1.00, one (1) cauteen and strap, value \$0.38, one (1) spurs and straps, value \$0.60, one (1) carbine screw-driver, value \$0.17, one (1) thong and brush-wiper, value \$0.40, twenty (20) U. S. metallic cartridges for carbine, calibre .45, value \$1.20. Total value twenty-seven dollars (\$27.00). This at or near Fort Brown, Texas, on or about June 2, 1876."

To which charges and specifications the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Samuel D. Phillips*, Co. I, 8th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor in such military prison as the Commanding General may direct for the period of three (3) years."

5. Private *William Allen*, Co. L, 8th Cavalry.

CHARGE—"Quitting his post, in violation of the 30th Article of War."

Specification—"In this, that he, Private *William Allen*, Co. L, 8th U. S. Cavalry, having been duly mounted as a member of the guard and posted as a sentinel over the horses of Co. L, 8th U. S. Cavalry, did quit his post without being relieved; and did lie down in a pile of hay close to his post. All this at Fort Brown, Texas, between the hours of 2 and 3 A. M., on the 12th day of May, 1876."

To which charge and specification the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Allen*, Co. L, 8th Cavalry, "To forfeit to the United States ten (10) dollars of his pay per month for five (5) months, and to be confined at hard labor at the post where his company may be serving for the same period."

6. Private *John Carty*, Co. C, 8th Cavalry.

CHARGE I—"Violation of the 49th Article of War."

Specification—"In that he, Private *John Carty*, Co. C, 8th Cavalry, having been duly mounted as a member of the stable guard of his company, did, without permission from proper authority, and without urgent necessity, quit the same. This at Fort Brown, Texas, on or about May 1, 1876."

CHARGE II—"Violation of the 32nd Article of War."

Specification—"In that he, Private *John Carty*, Co. C, 8th Cavalry, did, without permission from proper authority, absent himself from his company, quarters and post; and did visit the city of Brownsville, Texas. This at or near Fort Brown, Texas, on or about May 3, 1876."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification—"In that he, Private *John Carty*, Co. C, 8th Cavalry, having been released from confinement in the post guard house, failed to report to his company for duty. This at Fort Brown, Texas, on or about May 3, 1876."

To which charges and specifications the accused pleaded:

To the first and third charges and their specifications, "Not Guilty."

To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first and third charges and their specifications, "Not Guilty."

Of the second charge and its specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Carty*, Co. C, 8th Cavalry, "To be confined at hard labor in charge of the guard at such place as the Commanding General may direct for the period of one (1) month, and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

II. In the cases of Privates *Henry Anderson*, Co. C, *Cornelius Hefferman* and *Samuel D. Phillips*, Co. I, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the cases of Privates *Cornelius Hefferman* and *Samuel D. Phillips*, Co. I, 8th Cavalry, the military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoners will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Sergeant *Simon Seward*, Co. C, 8th Cavalry, the proceedings are approved. The findings on the first charge and specification are disapproved. The failure to care for the arms alleged in the specification is not proved, in fact it is not touched upon in the evidence adduced by the prosecution. Captain Chilson gives as his reason for relieving the accused from his charge of the company property "that it was reported that he was drinking hard and not attending to his business, and also that two carbines had been lost;" there is no proof, however, that the report was



true, or that the loss of the carbines was due to want of care on the part of the accused.

The Department Commander takes this opportunity to call the attention of Judge Advocates to the too frequent practice of resting the prosecution upon *prima facie* evidence of guilt, for example: to prove neglect of duty, or want of proper care, it is not sufficient to show that property, of which the accused was in charge, was lost.

The principle of holding officers and soldiers to a strict accountability for failure in the proper performance of duty is correct, but courts martial must remember that unless the particular action or failure be established by evidence the reviewing officer is compelled to disapprove, even though, as in this case, the probability of guilt may be strong.

The findings on the second charge and specification are approved. One month of confinement and forfeiture imposed by the sentence is remitted. As mitigated, the sentence will be duly executed at the post where his company may be serving.

In the case of Private *William Allen*, Co. L, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The commanding officer of Fort Brown, Texas, will cause Private *Allen* to be examined by a medical officer, and if he be found physically incompetent to perform the duties of a soldier he will be discharged.

In the case of Private *John Carty*, Co. C, 8th Cavalry, the proceedings, findings and sentence are approved. So much of the sentence as relates to forfeiture of pay is remitted. As mitigated, the sentence will be duly executed. The post of his company is designated as the place of confinement.

III. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, February 21, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, was arraigned and tried:

7. Private *William Humans*, Co. M, 10th Cavalry.

CHARGE—"Desertion."

Specification—"In that Private *William Humans*, of Co. M, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at or about ten o'clock P. M., on the 3rd day of June, 1876; and did remain absent until reveille on the 5th day of June, 1876, at which time he surrendered himself at the post guard house. All this at and near Fort Stockton, Texas."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except the words 'did desert the said service,' and of the excepted words, not guilty."

To the charge,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'desert the said service,' substituting therefor the words 'absent himself from his company and quarters without authority,' and of the excepted words, not guilty."

Of the charge, "Not guilty, but guilty of 'absence without leave.'"

#### SENTENCE.

And the court does therefore sentence him, Private *William Humans*, Co. M, 10th Cavalry, "To forfeit to the United States ten (10) dollars of

his monthly pay for three (3) months, and to be confined at hard labor at the post where his company may be serving for the same period."

IV. In the case of Private *William Humans*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read *two months* in place of "three (3) months," and, as mitigated, will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Cornelius Hefferman.....Company I, 8th Cavalry.

### AT FORT CONCHO, TEXAS.

2. Private Henry A. Graves.....Company A, 10th Infantry.
3. Private David Diggs.....Company D, 10th Cavalry.
4. Private Charles Williams.....Company F, 10th Cavalry.

### AT FORT MCKAVETT, TEXAS.

5. Private Henry Nickett.....Company C, 10th Infantry.

### AT RINGGOLD BARRACKS, TEXAS.

6. Private John Doonan.....Company M, 8th Cavalry.
7. Private Prisi Munday.....Company M, 8th Cavalry.

### AT FORT STOCKTON, TEXAS.

8. Private Robert Jackson.....Company M, 10th Cavalry.
9. Private Jacob Wilson.....Company M, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, July 6, 1876.

### GENERAL COURT MARTIAL { ORDERS NO. 22.

1. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, February 21, 1876, pursuant to paragraph IV, Special Orders No. 25 and Special Orders No. 35, paragraph 1, Special Orders No. 58 and Special Orders No. 81, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, was arraigned and tried:

1. Private Cornelius Hefferman, Co. I, 8th Cavalry.

CHARGE I—"Desertion."

Specification—"In that Private Cornelius Hefferman, I Co., 8th Cavalry, having been properly enlisted as a soldier in the Army of the United States, did desert the same on or about the 25th day of December, 1875, and did remain absent until arrested April 2, 1876. This at or near Fort Brown, Texas, on or about the dates above specified."

CHARGE II—"Violation of the 17th Article of War."

Specification—"In that Private Cornelius Hefferman, I Co., 8th Cavalry, did sell, or through neglect lose, the following articles, the property of the United States, and for which Second Lieutenant J. Burke Hickey, 8th Cavalry, is responsible, viz: one (1) spurs and strap, value 60 cents, one (1) canteen and strap, value 38 cents, one (1) thong and brush-wiper, value 40 cents, one (1) carbine screw driver, value 17

cents, and one (1) pistol screw driver, value 10 cents. Total, one dollar and sixty-five cents (\$1.65); said property having been issued to him as part of his equipments as a soldier. This at or near Fort Brown, Texas, on or about the 25th day of December, 1875."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Cornelius Hefferman*, Co. I, 8th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances, and to be confined at hard labor at such military prison as the Department Commander may designate for the period of two (2) years."

II. In the case of Private *Cornelius Hefferman*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

III. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders No. 25, paragraph I, Special Orders No. 44, paragraphs I and II, Special Orders No. 51, and paragraph I, Special Orders No. 68, current series, Headquarters Department of Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and Second Lieutenant C. R. WARD, 10th Cavalry, Judge Advocate, was arraigned and tried:

2. Private *Henry A. Graves*, Co. A, 10th Infantry.

CHARGE—"Forgery, to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that he, Private *Henry A. Graves*, Co. A, 10th U. S. Infantry, did forge, or cause to be forged, the signature of his company commander, (F. E. Lacey, Captain 10th U. S. Infantry), to the approval to a check or due bill of the said *Graves* on the post trader at Fort Concho, Texas, for the amount of four (4) dollars, and did present said due bill or check at the store of the post trader at Fort Concho, Texas, he, the said Private *Henry A. Graves*, knowing his company commander did not countersign said due bill or check on the post trader. This at Fort Concho, Texas, on or about the 19th day of June, 1875."

*Specification 2nd*—"In this, that he, Private *Henry A. Graves*, Co. A, 10th Infantry, did forge, or cause to be forged, the signature of his company commander, (F. E. Lacey, Captain 10th Infantry), to the approval to a check or due bill of the said *Graves*, on the post trader at Fort Concho, Texas, for the amount of three (3) dollars, and did present said due bill or check at the store of the post trader at Fort Concho, Texas, he, the said Private *Henry A. Graves*, knowing his company commander did not countersign said due bill or check on the post trader. This at Fort Concho, Texas, on or about the 3rd day of July, 1875."

To which charge and specifications the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Henry A. Graves*, Co. A, 10th Infantry, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined at such place as the proper authority may designate for the period of five (5) years."

IV. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, June 22, 1876, pursuant to paragraph VII, Special Orders No. III, Headquarters Department of Texas, dated June 16, 1876, of which Captain F. E. LACEY, 10th Infantry, is President, and First Lieutenant M. M. MAXON, 10th Cavalry, Judge Advocate, were arraigned and tried:

3. Private *David Diggs*, Co. D, 10th Cavalry.

CHARGE—"Desertion."

Specification—"In that he, Private *David Diggs*, Co. D, 10th Cavalry, a duly enlisted soldier in the Army of the United States, did desert said service; and did remain absent until arrested by civil authorities on or about the 30th day of May, 1876. This at or near Fort Concho, Texas, on or about the 7th and 30th days of May, 1876."

To which charge and specification the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *David Diggs*, Co. D, 10th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due, or which may become due, and to be confined at such place as the Department Commander may designate for the period of one (1) year."

4. Private *Charles Williams*, Co. F, 10th Cavalry.

CHARGE I—"Desertion."

Specification—"In that he, Private *Charles Williams*, Co. F, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert from the same at Fort Concho, Texas, on or about May 9, 1876; and did remain so absent until apprehended in San Saba County, Texas, by the Sheriff or citizens thereof, and delivered at Fort Concho, Texas, on May 30, 1876."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In that Private *Charles Williams*, Co. F, 10th Cavalry, did take, steal, carry away and appropriate to his own use and benefit, the following articles, the property of the United States, viz: two (2) canteens and strap, 76 cents, one (1) haversack, 43 cents; in all valued at \$1.19. This at Fort Concho, Texas, on May 9, 1876."

To which charges and specifications the accused pleaded:

To the first charge and specification, "Guilty."

To the second charge and specification, "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and specification, "Guilty."

Of the specification, second charge, "Guilty, except the words and fig-

nres 'one (1) haversack, 43 cents,' and '\$1.19,' substituting therefor '76 cents,' and of the excepted words, not guilty."

Of the second charge,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles Williams*, Co. F, 10th Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due, or which may become due, and to be confined at such place as the Department Commander may designate for the period of one (1) year."

V. In the case of Private *Henry A. Graves*, Co. A, 10th Infantry, the proceedings, findings and sentence are approved. The period of confinement is reduced to one year. As mitigated, the sentence will be duly executed.

Hereafter such cases will not be brought before General Courts Martial as checks or due bills on post traders, approved by company or other commanding officers, are prohibited, and post traders accepting such do so at their peril.

In the cases of Privates *David Diggs*, Co. D, and *Charles Williams*, Co. F, 10th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the cases of Privates *Henry A. Graves*, Co. A, 10th Infantry, *David Diggs*, Co. D, and *Charles Williams*, Co. F, 10th Cavalry, the military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoners will, however, be held in confinement at Fort Concho, Texas, until further orders.

VI. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, Headquarters Department of Texas, dated June 3, 1876, of which Surgeon C. E. GODDARD, Medical Department, is President, and Second Lieutenant ALFRED LARKE, 10th Infantry, Judge Advocate, was arraigned and tried:

5. Private *Henry Nickett*, Co. C, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Henry Nickett*, Co. C, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Fort McKavett, Texas, on or about September 17, 1875; and did remain absent until he surrendered himself to the commanding officer at Fort Griffin, Texas, on or about May 4, 1876."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that Private *Henry Nickett*, Co. C, 10th Infantry, without being regularly discharged from the service of the United States, did re-enlist in said service. This at St. Louis, Missouri, on or about November 5, 1875."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Henry Nickett*, Co. C, 10th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due,

except the just dues of the laundress, and to be confined at such military prison as the Commanding General may direct for the period of one (1) year."

VII. In the case of Private *Henry Nickell*, Co. C, 10th Infantry, the proceedings, findings and sentence are approved. The sentence is commuted to read: "To be confined at hard labor at the post where his company may be serving for six months, and to forfeit to the United States ten dollars per month of his pay for the same period," and will be so executed.

VIII. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, June 1, 1876, pursuant to paragraph VI, Special Orders No. 90, Headquarters Department of Texas, dated May 19, 1876, San Antonio, Texas, of which Captain H. C. CORBIN, 24th Infantry, is President, and Second Lieutenant HENRY WYGANT, 24th Infantry, Judge Advocate, were arraigned and tried:

6. Private *John Doonan*, Co. M, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In that Private *John Doonan*, Co. M, 8th U. S. Cavalry, a duly mounted member of the post guard, having been duly posted as a sentinel on the Government hay corral, was found asleep on his beat. This at Ringgold Barracks, Texas, on or about the 2nd day of April, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Doonan*, Co. M, 8th Cavalry, "To be confined at hard labor for the period of two (2) months in charge of the post guard, and to forfeit his monthly pay for the same period."

The court is thus lenient on account of the long confinement undergone by the prisoner while awaiting trial.

7. Private *Prisi Munday*, Co. M, 8th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In that he, Private *Prisi Munday*, Co. M, 8th Cavalry, did, on or about the 19th day of March, 1876, offer for sale to Charles Lehman, a civilian of Rio Grande City, Texas, one U. S. breech-loading Springfield musket, calibre .50."

Specification 2nd—"In that he, Private *Prisi Munday*, Co. M, 8th Cavalry, did, on or about the 20th day of March, 1876, offer for sale to Charles Lehman, a civilian of Rio Grande City, Texas, one U. S. breech-loading Springfield musket, calibre .50."

Specification 3rd—"In that he, Private *Prisi Munday*, Co. M, 8th Cavalry, did, on or about the 21st day of March, 1876, offer for sale to Charles Lehman, a civilian of Rio Grande City, Texas, one or more U. S. breech-loading Springfield muskets, calibre .50. This at Rio Grande City, Texas, on or about the dates above specified."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Prisi Munday*, Co. M, 8th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances, and to be confined at hard labor at such a place as the Commanding General may direct for the period of one year."

IX. In the case of Private *John Doonan*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read: "To be confined at hard labor for two months, and to forfeit to the United States ten dollars per month of his pay for the same period," and will be so executed."

In the case of Private *Prisi Munday*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Ringgold Barracks, Texas, until further orders.

X. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, February 21, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, were arraigned and tried:

8. Private *Robert Jackson*, Co. M, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In that Private *Robert Jackson*, of Co. M, 10th Cavalry, did, without just cause or provocation, abuse and endeavor to inflict bodily injury upon Private *Philip Henson*, of Co. M, 10th Cavalry, calling him 'a son of a bitch;' and did behave in a disorderly manner in and about the quarters of Co. M, 10th Cavalry. This at Fort Stockton, Texas, on or about May 12, 1876."

*Specification 2nd*—"In that Private *Robert Jackson*, of Co. M, 10th Cavalry, did resist the authority and threaten the life of First Sergeant *Levi Haines*, of Co. M, 10th Cavalry, saying to him 'never mind, I will get you yet; there will be target practice,' or words to that effect. This while the said First Sergeant *Levi Haines* was engaged in the execution of his office in taking, or endeavoring to take, the said Private *Robert Jackson*, of Co. M, 10th Cavalry, to the guard house. This at Fort Stockton, Texas, on or about the 12th day of May, 1876."

*Specification 3rd*—"In that Private *Robert Jackson*, of Co. M, 10th Cavalry, on being taken to the guard house, did seize a gun from the armrack and endeavor to use it upon Private *Robert Giles*, of Co. M, 10th Cavalry, saying to the said Private *Giles* 'God damn you, I'll fix you when I get out of this.' This when the said Private *Giles* was in the execution of his duty in taking, or assisting to take, the said Private *Robert Jackson*, of Co. M, 10th Cavalry, to the guard house in obedience to the orders of his first sergeant—*Levi Haines*, of Co. M, 10th Cavalry. This at Fort Stockton, Texas, on or about May 12, 1876."

To which charge and specifications the accused pleaded "Not Guilty."



## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,

"Guilty."

Of the second specification, "Guilty, except the words 'the life of,' and of the excepted words, not guilty."

Of the third specification, "Guilty, except the words 'and endeavor to use it upon Private Robert Giles, of Co. M, 10th Cavalry,' and of the excepted words, not guilty."

Of the charge,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Robert Jackson*, Co. M, 10th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due him, and to be confined at hard labor at such military prison as the proper authority may direct for the period of one (1) year."

9. Private *Jacob Wilson*, Co. M, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In that *Farrier* (now private) *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 29th day of August, 1875."

*Specification 2nd*—"In that *Farrier* (now private) *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 2nd day of September, 1875."

*Specification 3rd*—"In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 25th day of September, 1875."

*Specification 4th*—"In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 19th day of November, 1875."

*Specification 5th*—"In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 4th day of December, 1875."

*Specification 6th*—"In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 22nd day of December, 1875."

To which charge and specifications the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Jacob Wilson*, Co. M, 10th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him."

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XI. In the case of Private *Robert Jackson*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved. The sentence is commuted to read: "To be confined at hard labor under charge of the guard at the station where his company may be serving for six months, and to forfeit to the United States ten dollars per month of his pay for the same period," and will be so executed.

In the case of Private *Jacob Wilson*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General*

OFFICIAL:

*Aide-de-Camp.*

except the just dues of the laundress, and to be confined at such military prison as the Commanding General may direct for the period of one (1) year."

VII. In the case of Private *Henry Nickell*, Co. C, 10th Infantry, the proceedings, findings and sentence are approved. The sentence is commuted to read: "To be confined at hard labor at the post where his company may be serving for six months, and to forfeit to the United States ten dollars per month of his pay for the same period," and will be so executed.

VIII. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, June 1, 1876, pursuant to paragraph VI, Special Orders No. 90, Headquarters Department of Texas, dated May 19, 1876, San Antonio, Texas, of which Captain H. C. CORBIN, 24th Infantry, is President, and Second Lieutenant HENRY WYGANT, 24th Infantry, Judge Advocate, were arraigned and tried:

6. Private *John Doonan*, Co. M, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

SPECIFICATION—"In that Private *John Doonan*, Co. M, 8th U. S. Cavalry, a duly mounted member of the post guard, having been duly posted as a sentinel on the Government hay corral, was found asleep on his beat. This at Ringgold Barracks, Texas, on or about the 2nd day of April, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Doonan*, Co. M, 8th Cavalry, "To be confined at hard labor for the period of two (2) months in charge of the post guard, and to forfeit his monthly pay for the same period."

The court is thus lenient on account of the long confinement undergone by the prisoner while awaiting trial.

7. Private *Prisi Munday*, Co. M, 8th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

SPECIFICATION 1st—"In that he, Private *Prisi Munday*, Co. M, 8th Cavalry, did, on or about the 19th day of March, 1876, offer for sale to Charles Lehman, a civilian of Rio Grande City, Texas, one U. S. breech-loading Springfield musket, calibre .50."

SPECIFICATION 2nd—"In that he, Private *Prisi Munday*, Co. M, 8th Cavalry, did, on or about the 20th day of March, 1876, offer for sale to Charles Lehman, a civilian of Rio Grande City, Texas, one U. S. breech-loading Springfield musket, calibre .50."

SPECIFICATION 3rd—"In that he, Private *Prisi Munday*, Co. M, 8th Cavalry, did, on or about the 21st day of March, 1876, offer for sale to Charles Lehman, a civilian of Rio Grande City, Texas, one or more U. S. breech-loading Springfield muskets, calibre .50. This at Rio Grande City, Texas, on or about the dates above specified."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Prisi Munday*, Co. M, 8th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowanees, and to be confined at hard labor at such a place as the Commanding General may direct for the period of one year."

IX. In the case of Private *John Doonan*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read: "To be confined at hard labor for two months, and to forfeit to the United States ten dollars per month of his pay for the same period," and will be so executed."

In the case of Private *Prisi Munday*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Ruggold Barracks, Texas, until further orders.

X. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, February 21, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, were arraigned and tried:

8. Private *Robert Jackson*, Co. M, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In that Private *Robert Jackson*, of Co. M, 10th Cavalry, did, without just cause or provocation, abuse and endeavor to inflict bodily injury upon Private Philip Henson, of Co. M, 10th Cavalry, calling him 'a son of a bitch;' and did behave in a disorderly manner in and about the quarters of Co. M, 10th Cavalry. This at Fort Stockton, Texas, on or about May 12, 1876."

*Specification 2nd*—"In that Private *Robert Jackson*, of Co. M, 10th Cavalry, did resist the authority and threaten the life of First Sergeant Levi Haines, of Co. M, 10th Cavalry, saying to him 'never mind, I will get you yet; there will be target practice,' or words to that effect. This while the said First Sergeant Levi Haines was engaged in the execution of his office in taking, or endeavoring to take, the said Private *Robert Jackson*, of Co. M, 10th Cavalry, to the guard house. This at Fort Stockton, Texas, on or about the 12th day of May, 1876."

*Specification 3rd*—"In that Private *Robert Jackson*, of Co. M, 10th Cavalry, on being taken to the guard house, did seize a gun from the armrack and endeavor to use it upon Private Robert Giles, of Co. M, 10th Cavalry, saying to the said Private Giles 'God damn you, I'll fix you when I get out of this.' This when the said Private Giles was in the execution of his duty in taking, or assisting to take, the said Private *Robert Jackson*, of Co. M, 10th Cavalry, to the guard house in obedience to the orders of his first sergeant—Levi Haines, of Co. M, 10th Cavalry. This at Fort Stockton, Texas, on or about May 12, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,

“Guilty.”

Of the second specification, “Guilty, except the words ‘the life of,’ and of the excepted words, not guilty.”

Of the third specification, “Guilty, except the words ‘and endeavor to use it upon Private Robert Giles, of Co. M, 10th Cavalry,’ and of the excepted words, not guilty.”

Of the charge,

“Guilty.”

## SENTENCE.

And the court does therefore sentence him, Private *Robert Jackson*, Co. M, 10th Cavalry, “To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due him, and to be confined at hard labor at such military prison as the proper authority may direct for the period of one (1) year.”

9. Private *Jacob Wilson*, Co. M, 10th Cavalry.

CHARGE—“Conduct to the prejudice of good order and military discipline.”

Specification 1st—“In that Furrier (now private) *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 29th day of August, 1875.”

Specification 2nd—“In that Furrier (now private) *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 2nd day of September, 1875.”

Specification 3rd—“In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 23th day of September, 1875.”

Specification 4th—“In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 19th day of November, 1875.”

Specification 5th—“In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 4th day of December, 1875.”

Specification 6th—“In that Private *Jacob Wilson*, of Co. M, 10th Cavalry, was drunk. This at Fort Stockton, Texas, on or about the 22nd day of December, 1875.”

To which charge and specifications the accused pleaded “Guilty.”

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications,

“Guilty.”

## SENTENCE.

And the court does therefore sentence him, Private *Jacob Wilson*, Co. M, 10th Cavalry, “To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him.”

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XI. In the case of Private *Robert Jackson*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved. The sentence is commuted to read: “To be confined at hard labor under charge of the guard at the station where his company may be serving for six months, and to forfeit to the United States ten dollars per month of his pay for the same period,” and will be so executed.

In the case of Private *Jacob Wilson*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private Felix Lefloch.....Company B, 8th Cavalry.
2. Private Peter F. Murray.....Company F, 8th Cavalry.
3. Private William H. Sinclair.....Company B, 8th Cavalry.

### AT FORT CONCHO, TEXAS.

4. Private Singleton Adams.....Company F, 10th Cavalry.

### AT FORT McKEVETT, TEXAS.

5. Private John McDonough.....Company F, 10th Infantry.
6. Private John Perkins.....Company I, 10th Infantry.
7. Bugler Henry Scholz.....Company I, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, June 21, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 21. }

I. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, March 1, 1876, pursuant to paragraph IV, Special Orders No. 33, and paragraph II, Special Orders No. 37, current series, Headquarters Department of Texas, of which Colonel J. I. GREGG, 8th Cavalry, is President, and First Lieutenant J. T. KIRKMAN, 10th Infantry, Judge Advocate, were arraigned and tried:

1. Private Felix Lefloch, Co. B, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In that he, Private Felix Lefloch, Co. B, 8th Cavalry, being on duty as a member of the post guard, did become so drunk as to be unable to properly perform his duty. This at Fort Clark, Texas, on the 14th day of May, 1876."

CHARGE II—"Violation of the 39th Article of War."

Specification—"In that he, Private Felix Lefloch, Co. B, 8th Cavalry, a member of the post guard, having been duly posted on post No. 3 by a non-commissioned officer of the guard, did desert said post and go to the guard house without proper authority. This at Fort Clark, Texas, on the 14th day of May, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private Felix Lefloch, Co. B, 8th Cavalry, "To forfeit ten (10) dollars per month of his monthly pay for eight (8) months, and to be confined at hard labor in the post guard house at the post where his company may be serving for eight (8) months."

2. Private Peter F. Murray, Co. F, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In this, that Private *Peter F. Murray*, Co. F, 8th Cavalry, having been duly mounted as a member of the guard on the 17th day of May, 1876, at Fort Clark, Texas, and then having been duly posted as a sentinel at the stables of Co. F, 8th Cavalry, (post No. 4), at 2 o'clock A. M., on the 18th of May, 1876, was found sleeping on his post at or about 2:30 A. M., same date, when the officer of the day was making his rounds. This at Fort Clark, Texas."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, (None recorded).

#### SENTENCE.

And the court does therefore sentence him, Private *Peter F. Murray*, Co. F, 8th Cavalry, "To forfeit ten (10) dollars per month of his monthly pay for six (6) months, and to be confined at hard labor in the guard house at the post where his company may be serving for six (6) months."

3. Private *William H. Sinclair*, Co. B, 8th Cavalry.

CHARGE I—"Violation of the 38th Article of War."

*Specification*—"In that he, Private *William H. Sinclair*, Co. B, 8th Cavalry, being on duty as a member of the stable guard of his company, did become so drunk as to be unable to perform his duty. This at or near Fort Clark, Texas, on the 14th day of May, 1876."

CHARGE II—"Violation of the 40th Article of War."

*Specification*—"In that he, Private *William H. Sinclair*, Co. B, 8th Cavalry, a member of the stable guard of his company, did quit said guard, without permission from proper authority, or other evident necessity therefor, about 2 o'clock A. M., the 14th day of May, 1876, and did remain absent until arrested near the town of Brackett, Texas, about 6 o'clock A. M. the same day. This at or near Fort Clark, Texas."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William H. Sinclair*, Co. B, 8th Cavalry, "To forfeit ten (10) dollars per month of his monthly pay for three (3) months, and to be confined in the guard house at the post where his company may be stationed for three (3) months."

II. In the cases of Privates *Felix Lefloch* and *William H. Sinclair*, Co. B, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *Peter F. Murray*, Co. F, 8th Cavalry, the proceedings are approved. There are no findings recorded, and as the court is reduced below a minimum, the record cannot be returned for correction if the omission was a clerical error. The sentence is void. Private *Murray* will be released from confinement and returned to duty.

III. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders No. 25, current series, Headquarters Department of Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and First Lieutenant M. M. MAXON, 10th Cavalry, Judge Advocate, was arraigned and tried:

4. Private *Singleton Adams*, Co. F, 10th Cavalry.



CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In that Private *Singleton Adams*, Co. F, 10th Cavalry, did take, steal, carry away and appropriate to his own use and benefit, thirty dollars (\$30.00), more or less, in currency, the property of Lieutenant Wm. Davis, Jr., 10th Cavalry, This at Fort Concho, Texas, on or about January 21, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Singleton Adams*, Co. F, 10th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due, and to be confined in such penitentiary as the Department Commander may direct for the period of three (3) years."

IV. In the case of Private *Singleton Adams*, Co. F, 10th Cavalry, the proceedings, findings and sentence are disapproved on account of variance between the specification and the sentence. The record was returned for correction, but the court having been reduced below the minimum by absence of members in the field no action could be taken.

He will be released from confinement and returned to duty.

V. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, June 9, 1876, pursuant to paragraph II, Special Orders No. 100, Headquarters Department of Texas, dated June 3, 1876, of which Surgeon C. E. GODDARD, Medical Department, is President, and Second Lieutenant ALFRED LARKE, 10th Infantry, Judge Advocate, were arraigned and tried:

5. Private *John McDonough*, Co. F, 10th Infantry.

CHARGE—"Violation of the 32nd Article of War."

Specification 1st—"In this, that Private *John McDonough*, Co. F, 10th Infantry, having been regularly detailed on extra duty with his company in constructing U. S. military telegraph from Fort McKavett to San Antonio, Texas, did, without permission from proper authority, absent himself from his company and duties on the morning of December 25, 1875, and did remain so absent until the evening of December 26, 1875. This at or near Coghlan's Station, Texas, on or about the dates above specified."

Specification 2nd—"In this, that Private *John McDonough*, Co. F, 10th Infantry, having been regularly detailed on extra duty with his company in constructing U. S. military telegraph from Fort McKavett to San Antonio, Texas, did, without permission from proper authority, absent himself from his company and duties on the evening of March 15, 1876, and did remain so absent until the evening of March 20, 1876. This at or near Fredericksburg, Texas, on or about the dates above specified."

Specification 3rd—"In this, that Private *John McDonough*, Co. F, 10th Infantry, having been regularly detailed on extra duty with his company in constructing U. S. military telegraph from Fort McKavett to San Antonio, Texas, did, without permission from proper authority, absent himself from his company and duties on the morning

of March 21, 1876, and did remain so absent until the evening of March 22, 1876. This at or near Fredericksburg, Texas, on or about the dates above specified."

*Specification 4th*—"In this, that Private *John McDonough*, Co. F, 10th Infantry, having been regularly detailed on extra duty with his company in constructing U. S. military telegraph from Fort McKavett to San Antonio, Texas, did, without permission from proper authority, absent himself from his company and duties on the morning of May 11, 1876, and did remain so absent until the evening of May 13, 1876. This at or near San Antonio, Texas, on or about the dates above specified."

To which charge and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John McDonough*, Co. F, 10th Infantry, "To be confined at hard labor under charge of the guard at the post where his company may be serving for three (3) months, forfeiting to the United States the sum of ten (10) dollars per month for the same period."

6. Private *John Perkins*, Co. I, 10th Infantry.

CHARGE—"Violation of the 62nd Article of War."

*Specification*—"In this, that Private *John Perkins*, Co. I, 10th Infantry, being at the time a member of the post guard, did, upon the request of Bugler H. Scholz, Co. I, 10th Infantry, who was at the time a prisoner, take a package containing stolen property out of the said Bugler Scholz's box, at the company quarters, and conceal said package in his own (the said *Perkins's*) box, and keep it concealed until ordered by his company commander (Captain J. B. Parke, 10th Infantry) to open said box, when the said package of stolen property was found therein. This at Fort McKavett, Texas, on or about May 26, 1876."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except as to the word 'stolen,' and to the excepted word, not guilty."

To the charge,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Perkins*, Co. I, 10th Infantry, "To forfeit to the United States five (5) dollars of his monthly pay for three (3) months, and to be confined at hard labor in charge of the post guard for the same period."

7. Bugler *Henry Scholz*, Co. I, 10th Infantry.

CHARGE I—"Robbery, to the prejudice of good order and military discipline."

*Specification*—"In this, that Bugler *Henry Scholz*, Co. I, 10th Infantry, when Private *Moses Corder*, Co. F, 10th Infantry, was receiving the sum of eighteen (\$18.00) dollars in change from Mr. Hart, barkeeper at the post trader's store, did take said eighteen (\$18.00) dollars, forcibly, from the said Private *Corder*, and keep said sum of money, notwithstanding that the same was demanded from him, until the

sergeant of the guard was called for, when he threw said sum of money behind him on the floor. This at Fort McKavett, Texas, on or about May 26, 1876."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Bugler *Henry Scholz*, Co. I, 10th Infantry, did steal from the store of the post trader the following named articles, to-wit: two (2) pairs of women's shoes, value seven dollars and fifty cents (\$7.50), and nine (9) pairs of children's stockings, value four dollars (\$4.00), said articles being the property of Samuel Wallick, post trader at Fort McKavett, Texas. This at Fort McKavett, Texas, on or about May 26, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Bugler *Henry Scholz*, Co. I, 10th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due to him, the just dues of the laundress excepted, and to be confined at hard labor at such place as the Department Commander may direct for the period of twelve (12) months."

VI. In the case of Private *John McDonough*, Co. F, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *John Perkins*, Co. I, 10th Infantry, the proceedings and findings are approved. The sentence is disapproved. The acts set forth in the specification, unless coupled with the knowledge that the property referred to had been stolen, do not constitute a crime. Such knowledge is not alleged, nor does it appear from the evidence. He will be released from confinement and returned to duty.

In the case of Bugler *Henry Scholz*, Co. I, 10th Infantry, the proceedings and findings are approved. On account of previous good character and the circumstances under which the offenses were committed, as appears in the evidence, the term of confinement is remitted. The remainder of the sentence is confirmed and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CONCHO, TEXAS.

1. Musician John Cyphers..... Company A, 10th Infantry.
2. Private John J. Schliessman..... Company A, 10th Infantry.
3. Sergeant Henry R. Brown..... Company H, 11th Infantry.
4. Sergeant Edward W. Dunne..... Company H, 11th Infantry.
5. Private Peter Dreher..... Company H, 11th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *June 15, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 20. }

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders No. 25, paragraph I, Special Orders No. 44, paragraphs I and II, Special Orders No. 51, and paragraph I, Special Orders No. 68, current series, Headquarters Department of Texas, of which Captain F. E. LACKY, 10th Infantry, is President, and Second Lieutenant C. R. WARD, 10th Cavalry, Judge Advocate, were arraigned and tried:

1. Musician *John Cyphers*, Co. A, 10th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Musician *John Cyphers*, Co. A, 10th Infantry, did assist at the writing of certain scandalous letters to enlisted men at Fort McKavett, Texas, and did address the envelopes of said letters. This at Fort Concho, Texas, on or about the 4th day of May, 1876."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except the word 'scandalous,' and to the excepted word, not guilty."

To the charge,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Musician *John Cyphers*, Co. A, 10th Infantry, "To be dishonorably discharged the service of the United States, forfeiting to the United States all pay and allowances now due or that may become due, and to be confined at such place as the proper authority may designate for two (2) years."

2. Private *John J. Schliessman*, Co. A, 10th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John J. Schliessman*, Co. A, 10th Infantry, did write, or cause to be written, certain scandalous letters to Private Bailey, Co. I, and Private Harvey, Band, 10th Infantry, stationed at Fort McKavett, Texas, concerning the daughter of a non-commissioned officer, Co. A, 10th Infantry. This at Fort Concho, Texas, on or about the 4th day of May, 1876."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except the word 'scandalous,' and to the excepted word, not guilty."

To the charge,

"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John J. Schliessman*, Co. A, 10th Infantry, "To be dishonorably discharged the service of the United States, forfeiting to the United States all pay and allowances now due or that may become due, and to be confined at such place as the proper authority may designate for two (2) years."

3. Sergeant *Henry R. Brown*, Co. H, 11th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Corporal *Henry R. Brown*, Co. H, 11th Infantry, did state to Second Lieutenant *F. F. Kislbury*, 11th Infantry, that he, Corporal *Henry R. Brown*, did, while at Fort Richardson, Texas—he, the said *Brown*, being at that time a private in Co. I, 4th Cavalry—on or about the 24th day of March, 1875, pay to Captain *N. B. McLaughlin*, 4th Cavalry, in the presence of First Lieutenant *O. W. Budd*, 4th Cavalry, a certain sum of money, to-wit: twenty (\$20) dollars, due the said Captain *N. B. McLaughlin*, 4th Cavalry, which statement he knew to be false, and without foundation in fact. This at Fort Concho, Texas, on or about the 11th day of September, 1875."

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal—now sergeant—*Henry R. Brown*, Co. H, 11th Infantry, "To be reduced to the rank of a private soldier, and to forfeit to the United States the sum of ten (\$10) dollars per month for three (3) months."

4. Sergeant *Edward W. Dunne*, Co. H, 11th Infantry.

CHARGE—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, the said Sergeant *Edward W. Dunne*, Co. H, 11th U. S. Infantry, did create a disturbance in the mess-room of his company by firing a revolver, the shot striking the wall of the said mess-room. This at Fort Concho, Texas, on the 9th day of May, 1876."

Specification 2nd—"In this, that he, the said Sergeant *Edward W. Dunne*, Co. H, 11th U. S. Infantry, when ordered by First Sergeant *Julius J. Durage*, Co. H, 11th U. S. Infantry, in the execution of his office, to deliver a revolver which he, the said Sergeant *Edward W. Dunne*, had on his person, to him, First Sergeant *Julius J. Durage*, did draw and cock the said revolver with the intent to do bodily injury to the said First Sergeant *Julius J. Durage*, at the same time uttering the words 'I will fix you;' and further, that he, the said Sergeant *Edward W. Dunne*, did then and there discharge his pistol at, and bodily injure, the said First Sergeant *Julius J. Durage*, Co. H, 11th

U. S. Infantry. This at Fort Concho, Texas, on the 9th day of May, 1876."

*Specification 3rd*—"In this, that he, the said Sergeant *Edward W. Dunne*, Co. H, 11th U. S. Infantry, did draw and cock a revolver with intent to do bodily injury to Corporal *Thomas Potter*, Co. A, 10th U. S. Cavalry, a corporal of the post guard, the said Corporal *Thomas Potter* being at the time in the execution of his office. This at Fort Concho, Texas, on the 9th day of May, 1876."

To which charge and specifications the accused pleaded:

To the first specification,

"Guilty."

To the second and third specifications,

"Not Guilty."

To the charge,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,

"Guilty."

Of the second and third specifications,

"Not Guilty."

Of the charge, "Not Guilty, but guilty of conduct prejudicial to good order and military discipline."

#### SENTENCE.

And the court does therefore sentence him, Sergeant *Edward W. Dunne*, Co. H, 11th Infantry, "To be reduced to the ranks as a private soldier, and to forfeit to the United States eight (\$8) dollars of his pay per month for three (3) months."

5. Private *Peter Dreher*, Co. H, 11th Infantry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In that he, Private *Peter Dreher*, Co. H, 11th Infantry, having been duly mounted as a member of the post guard at Fort Concho, Texas, and having been duly posted as a sentinel on post No. 6—hay yard, Quartermaster's Department—was found asleep on said post by the sergeant of the guard, between the hours of 2 o'clock and 3 o'clock A. M., on the morning of the 24th day of May, 1876. This at Fort Concho, Texas, on or about the time and date above specified."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Peter Dreher*, Co. H, 11th Infantry, "To be confined at hard labor in charge of the guard at the post where his company may be serving for the period of six (6) months, and to forfeit to the United States ten (\$10) dollars of his pay per month for the same period."

II. In the cases of Musician *John Cyphers* and Private *John J. Schliessman*, Co. A, 10th Infantry, the proceedings and findings are approved. In view of the evidence, the sentence, in each case, is reduced to read: "To be dishonorably discharged the service of the United States," and, as mitigated, will be duly executed.

In the case of Sergeant *Henry R. Brown*, Co. H, 11th Infantry, the proceedings are disapproved. The accused asked that certain witnesses residing beyond the limits of the Department might be summoned in his behalf. The judge advocate stated to the court, April 13th, that the interrogatories and cross-interrogatories were ready to be forwarded to the pru-

per parties. The court re-assembled June 11th, and proceeded to try the case, but the evidence asked for by the accused is not produced, nor does the record show why it was not, or why the court proceeded without it; it does not even appear, conclusively, that the interrogatories were sent.

The findings are, also, disapproved. The specification alleges that the accused made a certain statement to Lieutenant Kistlingbury; there is no evidence that the accused made the statement to Lieutenant Kistlingbury or any one else.

*(Orders have already been issued for his release from confinement).*

In the case of Sergeant *Edward W. Danne*, Co. H, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

He will be released from arrest and returned to duty as a private soldier.

In the case of Private *Peter Dreher*, Co. H, 11th Infantry, the proceedings, findings and sentence are approved. In view of the recommendation to clemency by a majority of the members of the court, on account of the previous good character of the prisoner, the sentence is reduced to *two (2) months*, in place of "six (6) months," and, as mitigated, will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private James Larity ..... Company C, 8th Cavalry.
2. Private John A. Parks ..... Company D, 8th Cavalry.
3. Private James O'Brien ..... Company H, 8th Cavalry.
4. Private Dennis Lelan ..... Company I, 8th Cavalry.
5. Private William Stein ..... Company I, 8th Cavalry.
6. Private Edgar R. Adair ..... Company C, 11th Infantry.

### AT FORT CONCHO, TEXAS.

7. Sergeant James E. Parker ..... Company A, 10th Cavalry.
8. Private William Hall ..... Company I, 10th Cavalry.

### AT FORT STOCKTON, TEXAS.

9. Private Edward Collins ..... Company A, 25th Infantry.
10. Musician John Lewis ..... Company F, 25th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *June 8, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 19. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, February 21, 1876, pursuant to paragraph IV, Special Orders No. 25, and Special Orders No. 35, paragraph I, Special Orders No. 58, and Special Orders No. 81, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *James Larity*, Co. C, 8th Cavalry.

CHARGE—"Desertion."

Specification—"That he, Private *James Larity*, Co. C, 8th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service, and remain absent for the period of three months and five days, more or less, and until he was arrested at Fort Brown, Texas, on or about the 5th day of March, 1876. This at or near Fort Brown, Texas, on or about the 30th day of December, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *James Larity*, Co. C, 8th Cavalry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances now due or to become due, and to be confined in such military prison as the Commanding General may direct for the period of two (2) years."

2. Private *John A. Parks*, Co. D, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In this, that Private *John A. Parks*, Co. D, 8th U. S. Cavalry, having been duly posted as a sentinel over the ordnance store house was found sleeping on his post. This at Fort Brown, Texas, between the hours of 12 o'clock midnight on the 26th, and 1 o'clock A. M., on the 27th day of April, 1876."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John A. Parks*, Co. D, 8th Cavalry, "To forfeit ten (10) dollars of his pay per month for three (3) months, and to be confined in charge of the guard at the post where his company may be serving for the same period."

3. Private *James O'Brien*, Co. H, 8th Cavalry.

CHARGE—"Violation of the 17th Article of War."

Specification—"In that he, Private *James O'Brien*, Co. H, 8th Cavalry, did, through neglect, lose one Colt's pistol, the property of the United States and for which First Lieutenant H. J. Farnsworth, 8th Cavalry, is responsible, the same being part of the arms issued to him as a soldier in the United States service. This at Fort Brown, Texas, on or about the 8th day of February, 1876."

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James O'Brien*, Co. H, 8th Cavalry, "To be confined at hard labor in charge of the guard for the period of three (3) months."

4. Private *Dennis Lehan*, Co. I, 8th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In that Private *Dennis Lehan*, I Co., 8th Cavalry, did steal, take and carry away from the quarters of Co. I, 8th Cavalry, one (1) woolen blanket, value \$1.55, the property of Private James M. Sutton, I Co., 8th Cavalry. This at or near Fort Brown, Texas, on or about the 5th day of April, 1876."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In that Private *Dennis Lehan*, I Co., 8th Cavalry, having been told by Corporal Louis Groppe, I Co., 8th Cavalry, to help take some iron bunks down stairs, did say, 'You go to Hell'—Corporal Groppe being at the time in the execution of his duty. This in the squad-room of I Co., 8th Cavalry, barracks, at Fort Brown, Texas, on the 15th day of April, 1876."

To which charges and specifications the accused pleaded:

To the first charge and specification,

"Not Guilty."

To the second charge and specification,

"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and its specification,  
Of the second charge and specification,

"Not Guilty."

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Dennis Lehan*, Co. 1, 8th Cavalry, "To forfeit ten dollars of his pay for three (3) months, and to be confined at hard labor in charge of the guard for the same period."

5. Private *William Stein*, Co. 1, 8th Cavalry.

CHARGE I—"Desertion."

Specification—"In that Private *William Stein*, 1 Co., 8th Cavalry, having been properly enlisted as a soldier in the army of the United States, did desert the same, on or about the 4th day of December, 1875, and did remain absent until he surrendered himself, February 29th, 1876. This at or near Fort Brown, Texas, on or about the dates above specified."

ADDITIONAL CHARGE—"Violation of the 6th Article of War."

Specification—"In that he, *William Stein*, private 1 Co., 8th Cavalry, did take, steal and carry away from the quarters of Co. 1, 8th Cavalry, one (1) Colt's improved revolver, value \$50, the property of the United States, and for which Second Lieutenant J. Burke Hickey, 8th Cavalry, is responsible. This at or near Fort Brown, Texas, on about the 2nd day of December, 1875."

To which charges and specifications the accused pleaded:

To the first charge and specification,

"Guilty."

To the additional charge and specification,

"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and specification,

"Guilty."

Of the specification, additional charge, "Guilty, except the words 'take, steal and,' substituting in place thereof 'and knowingly and wilfully misappropriate and apply to his own use and benefit,' and these words to be inserted after the words 'carry away,' and inserting the word 'near' between the words 'from' and 'the.'"

Of the additional charge,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Stein*, Co. 1, 8th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances, and to be confined in such military prison as the proper authority may direct for the period of three (3) years."

6. Private *Edgar R. Adair*, Co. C, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Edgar R. Adair*, Co. C, 11th Infantry, being duly enlisted as a soldier in the service of the United States, on the 23rd of October, 1871, and assigned to Co. C, 11th Infantry, did desert the same, on or about May 30, 1872, and did remain absent until he surrendered himself at Fort Brown, Texas, February 27, 1876. This at Corsicana, Texas, on the date above specified."

ADDITIONAL CHARGE—"Violation of the 5th Article of War."

Specification—"In this, that he, Private *Edgar R. Adair*, Co. C, 11th Infantry, did enlist himself in the service of the United States without a regular discharge from the company in which he last served. This at or near Louisville, Ky., on or about the 5th day of November, 1875."

To which charges and specifications the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edgar R. Adair*, Co. C, 11th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances, and to be confined at such military prison as may be designated by the proper authority for the period of three (3) years."

II. In the cases of Privates *James Larity*, Co. C, *John A. Parks*, Co. D, *James O'Brien*, Co. H, *Dennis Lohan* and *William Stein*, Co. I, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the cases of Privates *James Larity*, Co. C, and *William Stein*, Co. I, 8th Cavalry, the military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoners will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Private *Edgar R. Adair*, Co. C, 11th Infantry, the proceedings, findings and sentence are approved. The term of confinement is reduced to two years. As mitigated, the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

III. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph H, Special Orders No. 25, paragraph I, Special Orders No. 44, paragraphs I and H, Special Orders No. 51, and paragraph I, Special Orders No. 68, current series, Headquarters Department of Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and Second Lieutenant C. R. WARD, 10th Cavalry, Judge Advocate, were arraigned and tried:

7. Sergeant *James E. Parker*, Co. A, 10th Cavalry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In that Sergeant *James E. Parker*, Co. A, 10th Cavalry, did, through his negligence or carelessness, allow to be stolen out of the company store-room three improved Schofield pistols, calibre .45, the property of the United States, and for which Captain Nolan, 10th Cavalry, is responsible, and valued at thirteen dollars and twenty-six cents, each, making a total of thirty-nine dollars and seventy-eight cents—said pistols being intrusted to him, the said Sergeant *James E. Parker*, Co. A, 10th Cavalry, for the purpose of cleaning and oiling. This at Fort Concho, Texas, between the 10th day of December, 1875, and the 24th day of March, 1876."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *James E. Parker*, Co. A, 10th Cavalry, "To be reduced to the ranks as a private soldier, and to forfeit to the United States five dollars of his pay per month for two (2) months."

8. Private *William Hall*, Co. I, 10th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In that he, Private *William Hall*, Co. I, 10th Cavalry, having been duly mounted as a member of the post guard and posted as a sentinel over the quartermaster's storehouse, did fall asleep on said post, and was so found by the officer of the day, Captain Thomas Little, 10th Cavalry. This at Fort Concho, Texas, between hours of 1 and 2 o'clock A. M., 12th day of May, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Hall*, Co. I, 10th Cavalry, "To be confined at hard labor under charge of the guard at the post where his company may be serving for the period of six (6) months, and to forfeit to the United States ten dollars (\$10) of his pay for the same period."

IV. In the cases of Sergeant *James E. Parker*, Co. A, and Private *William Hall*, Co. I, 10th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

Sergeant *Parker* will be released from arrest and returned to duty as a private soldier.

V. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, February 21, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. French, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, were arraigned and tried:

9. Private *Edward Collins*, Co. A, 25th Infantry.

CHARGE I—"Violation of the 33rd Article of War."

Specification—"In that Private *Edward Collins*, Co. A, 25th Infantry, did, without permission from proper authority, or evident necessity, absent himself from drill and retreat roll-call on the 25rd day of March, 1876. This at Fort Stockton, Texas."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In that Private *Edward Collins*, Co. A, 25th Infantry, did enter the quarters of Co. A, 25th Infantry, in a drunken condition, act in an insubordinate manner, fail to obey the orders of First Sergeant William Douglas, Co. A, 25th Infantry, (he being in the lawful execution of his duty), and make use of the following words, to-wit: 'God damn Captain French, kiss his arse. That God damn yaller son of bitch of a first sergeant he's got I intend to kill him; God damn them all; I don't give a damn for them all,' or words to that effect. This at Fort Stockton, Texas, on or about the 23rd day of March, 1876."

ADDITIONAL CHARGE I—"Attempt at murder, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Edward Collins*, Co. A, 25th Infantry, did wilfully point and discharge a loaded musket at First Sergeant William Douglas, Co. A, 25th Infantry, (he, Douglas, being in the lawful performance of his duty). This with intent to kill

First Sergeant William Douglas, Co. A, 25th Infantry. This at target practice, on or about the 27th day of March, 1876, at Fort Stockton, Texas."

ADDITIONAL CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Edward Collins*, Co. A, 25th Infantry, did, after having failed in his attempt to kill First Sergeant William Douglas, Co. A, 25th Infantry, by discharging a loaded musket at him, twice strike First Sergeant William Douglas, Co. A, 25th Infantry, (he, Douglas, being in the lawful execution of his duty), about the head and face with a musket. This at target practice, on or about the 27th day of March, 1876, at Fort Stockton, Texas."

To which charges and specifications the accused pleaded:

To the first charge and specification, "Guilty."

To the second charge and specification, "Not Guilty."

To the specification to additional charge first, "Guilty, except the words 'with intent to kill,' and to the excepted words, not guilty."

To the additional charge first, "Not Guilty."

To the additional charge second and specification, "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Edward Collins*, Co. A, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due him, and to be confined at hard labor at such penitentiary as the proper authority may direct for the period of seven (7) years."

10. Musician *John Lewis*, Co. F, 25th Infantry.

CHARGE—"Violation of the 40th Article of War."

Specification—"In that he, Musician *John Lewis*, Co. F, 25th Infantry, having been regularly detailed and mounted as musician of the post guard on the 30th of March, 1876, did, without permission from proper authority, or urgent necessity, quit his guard and visit a house in the adjoining settlement, (without the limits of the post), and there attend a dance and engage in dancing; and did remain so absent a portion of the time between the hours of 11 o'clock P. M., March 30, and 2 o'clock A. M., March 31, 1876."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except the words 'without proper authority, or urgent necessity,' and of the excepted words, not guilty."

To the charge, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Musician *John Lewis*, Co. F, 25th Infantry, "To forfeit to the United States ten (10) dollars of monthly pay for the period of three (3) months."

VI. In the case of Private *Edward Collins*, Co. A, 25th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In accordance with instructions from the Adjutant General's Office, the proceedings will be forwarded for the orders of the Secretary of War.

In the case of Musician *John Lewis*, Co. F, 25th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

*(Orders have already been issued for his release from confinement).*

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*





HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *June 5, 1876.*

GENERAL COURT MARTIAL {  
ORDERS No. 18. }

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 13, 1875, pursuant to paragraph III, Special Orders No. 229, and paragraph I, Special Orders No. 233, Headquarters Department of Texas, dated, respectively, December 6 and 10, 1875, San Antonio, Texas, of which Major T. M. ANDERSON, 10th Infantry, is President, and Second Lieutenant ALURED LARKE, 10th Infantry, Judge Advocate, was arraigned and tried:

Quartermaster Sergeant *William J. Connell*, 10th Infantry.

CHARGE—"Stealing, and wrongfully and knowingly selling or disposing of, certain property of the United States, in violation of the 60th Article of War."

*Specification 1st*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one wagon load of corn, weight unknown. This at Fort McKavett, Texas, on or about May 20, 1875."

*Specification 2nd*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one wagon load of corn, weight unknown. This at Fort McKavett, Texas, on or about July 13, 1875."

*Specification 3rd*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one wagon load of corn, weight unknown. This at Fort McKavett, Texas, on or about August 2, 1875."

*Specification 4th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one wagon load of corn,

weight unknown. This at Fort McKavett, Texas, on or about August 10, 1875."

*Specification 5th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one wagon load of corn, weight unknown. This at Fort McKavett, Texas, on or about August 16, 1875."

*Specification 6th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: five sacks of corn and two sacks of oats, weights unknown. This at Fort McKavett, Texas, on or about July 9, 1875."

*Specification 7th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: four sacks of corn, weight unknown. This at Fort McKavett, Texas, on or about August 27, 1875."

*Specification 8th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one sack of corn, weight unknown. This at Fort McKavett, Texas, on or about August 28, 1875."

*Specification 9th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: eleven sacks of corn, weight unknown. This at Fort McKavett, Texas, on or about November 2, 1875."

*Specification 10th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: six sacks of corn, weight unknown. This at Fort McKavett, Texas, on or about November 4, 1875."

*Specification 11th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one cart load of corn, weight unknown. This at Fort McKavett, Texas, on or about November 8, 1875."

*Specification 12th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: three cart loads of corn, weight unknown. This at Fort McKavett, Texas, on or about November 15, 1875."

*Specification 13th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one cart load of corn, weight unknown. This at Fort McKavett, Texas, on or about November 17, 1875."

*Specification 14th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one cart load of corn, weight unknown. This at Fort McKavett, Texas, on or about November 29, 1875."

*Specification 15th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: one cart load of corn, weight unknown. This at Fort McKavett, Texas, on or about November 30, 1875."

*Specification 16th*—"In this, that he, Quartermaster Sergeant *William J. Connell*, 10th Infantry, being on duty as quartermaster sergeant at the post of Fort McKavett, Texas, did steal, and wrongfully and knowingly sell or dispose of, the following quartermaster's stores, the property of the United States, and for which First Lieutenant Gregory Barrett, Jr., Regimental Quartermaster 10th Infantry, Post Quartermaster, was responsible, to-wit: two cart loads, containing in all thirty sacks, of corn, weight unknown. This at Fort McKavett, Texas, on or about January 7, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the 1st, 3rd, 4th, 5th, 6th, 8th, 12th, 16th specifications, "Not Guilty."

Of the 2nd, 7th, 9th, 10th, 11th, 13th, 14th, 15th specifications, "Guilty, except the words 'steal, and,' and 'sell or,' and of the excepted words, not guilty."

Of the charge, "Guilty, except the words 'stealing, and,' and of the words 'selling or,' and of the excepted words, not guilty."

SENTENCE.

And the court does therefore sentence him, Quartermaster Sergeant *William J. Connell*, 10th Infantry, "To be reduced to the ranks."

The court is thus lenient for the reason that in their opinion the Government sustained no loss.

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II. In the case of Quartermaster Sergeant *William J. Connell*, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed. He will be released from arrest and returned to duty as a private soldier.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private H. G. Adams .....Company C, 8th Cavalry.
2. Private William Case .....Company D, 8th Cavalry.
3. Private H. Gaylor ..... Company L, 8th Cavalry.
4. Private Patrick Kearney .....Company L, 8th Cavalry.
5. Private Charles Brower.....Company C, 11th Infantry.
6. Private John Bruce .....Company C, 11th Infantry.
7. Private Alonzo King.....Company C, 11th Infantry.
8. Private Peter Trotter.....Company C, 11th Infantry.

### AT FORT DAVIS, TEXAS.

9. Sergeant Charles Burns.....Company H, 10th Cavalry.
10. Private Richard Fishback.....Company K, 25th Infantry.

### AT FORT STOCKTON, TEXAS.

11. Sergeant Alfred Pinkston.....Company M, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *June 1, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 17.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Tuesday, March 16, 1876, pursuant to paragraph IV, Special Orders No. 25, and Special Orders No. 35, paragraph I, Special Orders No. 58, and Special Orders No. 81, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and Second Lieutenant F. W. MANSFIELD, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private H. G. Adams, Co. C, 8th Cavalry.

CHARGE—"Violation of the 21st Article of War."

Specification—"In this, that Private H. G. Adams, Co. C, 8th Cavalry—a prisoner in the guard house—when ordered by First Lieutenant John L. Clem, 24th Infantry, officer of the guard, in the execution of his duty, to stop talking, did, notwithstanding said order, continue to talk in a highly insubordinate and disrespectful tone of voice. This at Fort Brown, Texas, March 31, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Not Guilty."

And the court does therefore acquit him, Private H. G. Adams, Co. C, 8th Cavalry.

2. Private William Case, Co. D, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In that Private *William Case*, Co. D, 8th Cavalry, having been duly mounted as a member of the post guard and posted as a sentinel in charge of prisoners, did leave his post and abandon said prisoners without being regularly relieved, and did remain absent until arrested by the officer of the guard. This at Fort Brown, Texas, on the morning of April 10, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Case*, Co. D, 8th Cavalry, "To forfeit ten (\$10) dollars of his monthly pay, per month, for the period of three (3) months, and to be confined in charge of the guard for the same period, at the post where his company may be serving."

The court is thus lenient on account of the evident youth and inexperience of the prisoner.

3. Private *H. Gaylor*, Co. L, 8th Cavalry.

*CHARGE*—"Violation of the 21st Article of War."

*Specification*—"In this, that Private *H. Gaylor*, Co. L, 8th Cavalry—a prisoner in the guard house—when ordered by First Lieutenant John L. Clem, 24th Infantry, officer of the guard, in the execution of his duty, to stop talking, did reply, in a highly disrespectful and insubordinate tone of voice, 'I will talk all I please,' and did continue to talk notwithstanding said order. This at Fort Brown, Texas, March 31, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *H. Gaylor*, Co. L, 8th Cavalry, "To be dishonorably discharged the service of the United States, and forfeit all pay and allowances that are due or may become due, except the just dues of the laundress, and to be confined at hard labor under charge of the guard for the period of six (6) months at such post as the reviewing authority may direct."

4. Private *Patrick Kearney*, Co. L, 8th Cavalry.

*CHARGE*—"Desertion."

*Specification*—"In this, that Private *Patrick Kearney*, Co. L, 8th U. S. Cavalry, a duly enlisted soldier, did desert the service of the United States, at Fort Brown, Texas, on or about the 22nd day of December, 1875, and did remain absent until he surrendered himself on or about the 4th day of April, 1876, near Cortina's ranch, Texas. This at Fort Brown, Texas, on or about the dates above specified."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Patrick Kearney*, Co. L, 8th Cavalry, "To be dishonorably discharged the service of the United

States, with loss of all pay and allowances, and to be confined at hard labor at such military prison as the Department Commander may direct for the period of two (2) years."

5. Private *Charles Brower*, Co. C, 11th Infantry.

CHARGE—"Disobedience of orders, in violation of the 21st Article of War."

Specification—"In this, that he, Private *Charles Brower*, Co. C, 11th Infantry, having brought his musket to the position of inspection arms, and having been ordered by his company commander to drop his left hand promptly, did drop his left hand in an intentionally slow and deliberate manner, in defiance and disobedience of said order; and having been instructed to re-assume the position of inspection arms did again wilfully disobey the same above order, it having been repeated to him, and did continue to so disobey it, utterly refusing to do as ordered by his company commander. This at the afternoon drill of his company, at Fort Brown, Texas, on the 21st of April, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "guilty, except the word 'refusing,' and substituting therefor the word 'failing,' and of the excepted word, not guilty."

Of the charge,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles Brower*, Co. C, 11th Infantry, "To be confined at hard labor under charge of the guard for the period of three months, and to forfeit ten (\$10) dollars per month for the same period."

6. Private *John Bruce*, Co. C, 11th Infantry.

CHARGE I—"Violation of the 32nd Article of War."

Specification 1st—"In this, that he, Private *John Bruce*, Co. C, 11th Infantry, did absent himself from his company and barrack from reveille until tattoo, without proper authority. This at Fort Brown, Texas, on or about the 31st day of March, 1876."

Specification 2nd—"In this, that he, Private *John Bruce*, Co. C, 11th Infantry, did fail to repair to the evening parade of his company. This at Fort Brown, Texas, on or about the 31st day of March, 1876."

Specification 3rd—"In this, that he, Private *John Bruce*, Co. C, 11th Infantry, having been regularly detailed for guard, by the acting first sergeant of his company, did fail to repair to the proper place of rendezvous of said guard. This at Fort Brown, Texas, on or about the 31st day of March, 1876."

CHARGE III—"Drunkenness on duty, in violation of the 38th Article of War."

Specification—"In this, that he, Private *John Bruce*, Co. C, 11th Infantry, did appear at the tattoo roll-call of his company so much under the influence of liquor as to be unable to properly perform the duties of a soldier. This at Fort Brown, Texas, on or about the 31st day of March, 1876."

CHARGE IV—"Violation of the 17th Article of War."

Specification 1st—"In this, that he, Private *John Bruce*, Co. C, 11th Infantry, did sell, lose, or otherwise illegally dispose of, the following articles of clothing, issued to him by the Government for his use and equipment: one (1) pair of made trousers, (foot), one (1) pair of drawers,

one (1) pair of boots, (B. S.), of the value of seven dollars and three cents, (\$7.03). This at Fort Brown, Texas, between the dates of February 24, 1876, and March 31, 1876, inclusive."

*Specification 2nd*—"In this, that he, Private *John Bruce*, Co. C, 11th Infantry, having no dress coat of his own, did have one belonging to Lance Corporal *Joseph Webster*—a member of his company—turned over to him by the acting first sergeant, *Lawrence Kelly*, for the purpose of mounting guard in, did sell, lose or otherwise dispose of, said dress coat, for his own use and benefit; the said dress coat valued at nine dollars and seventy-five cents, (\$9.75). This at Fort Brown, Texas, on or about the 31st day of March, 1876."

To which charges and specifications the accused pleaded:

To the specification, first charge,	"Guilty."
To the first charge,	"Guilty."
To the first specification, charge second,	"Guilty."
To the second specification, charge second,	"Guilty."
To the third specification, charge second,	"Not Guilty."
To the second charge,	"Guilty."
To the remaining charges and specifications,	"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the first specification, second charge,	"Guilty."
Of the second specification, second charge,	"Guilty."
Of the third specification, second charge,	"Guilty."
Of the second charge,	"Guilty."
Of the third charge and its specification,	"Not Guilty."
Of the first specification, fourth charge, "Guilty, except the words 'one (1) pair of boots,' and 'seven dollars and three cents, (\$7.03),' and substituting for the latter 'seven dollars and twenty-four cents,' and of the excepted words, not guilty."	
Of the second specification, fourth charge,	"Guilty."
Of the fourth charge,	"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Bruce*, Co. C, 11th Infantry, "To forfeit all pay and allowances now due or to become due, to be dishonorably discharged the service, and to be confined at hard labor in charge of a guard at such place as the Commanding General may designate for six (6) months."

7. Private *Alonzo King*, Co. C, 11th Infantry.

*CHARGE*—"Theft, to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *Alonzo King*, Co. C, 11th Infantry, combining and confederating with Private *Henry Gross*, Co. C, 11th Infantry, did steal, take away and sell, or otherwise dispose of, for his own use and benefit, one great coat, value six dollars and forty-four cents, more or less, the property of Private *Jacob K. Snyder*, Co. C, 11th Infantry. This at Fort Brown, Texas, on or about April 23, 1876."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except the word 'steal,' and to the excepted word, not guilty."	
To the charge,	"Not Guilty."



## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Alonzo King*, Co. C, 11th Infantry, "To be dishonorably discharged the service of the United States with loss of all pay and allowances, and to be confined at hard labor at such place as the reviewing authority may direct for six (6) months."

8. Private *Peter Trotter*, Co. C, 11th Infantry.

CHARGE—"Disobedience of orders, in violation of the 21st Article of War."

Specification—"In this, that he, Private *Peter Trotter*, Co. C, 11th Infantry, having brought his musket to the position of inspection arms, and having been ordered by his company commander to drop his left hand promptly, did drop his left hand in an intentionally slow and deliberate manner, in defiance and disobedience of said order, and, having been instructed to re-assume the position of inspection arms, did again wilfully disobey the same above order, it having been repeated to him, and did continue to so disobey it, utterly refusing to do as ordered by his company commander. This at the afternoon drill of his company, at Fort Brown, Texas, on the 21st of April, 1876."

To which charge and specification the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except word 'refusing,' and substituting therefore the word 'falling,' and of the excepted word, not guilty."

Of the charge, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Peter Trotter*, Co. C, 11th Infantry, "To be confined at hard labor under charge of the guard for the period of three (3) months, and to forfeit ten (\$10) dollars per month for the same period."

II. In the case of Private *H. G. Adams*, Co. C, 8th Cavalry, the proceedings, findings and acquittal are approved.

In the cases of Privates *William Case*, Co. D, *H. Gaylor* and *Patrick Kearney*, Co. L, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *Gaylor* the post of Fort Brown, Texas, is designated as the place of confinement.

In the case of Private *Kearney* the military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the cases of Privates *Charles Brower* and *Peter Trotter*, Co. C, 11th Infantry, the proceedings are approved. The findings and sentences are disapproved. The testimony of the witnesses is conflicting, and leaves a reasonable doubt as to the wilfulness of the disobedience charged. Privates *Brower* and *Trotter* will be released from confinement and returned to duty.

In the case of Private *John Bruce*, Co. C, 11th Infantry, the proceedings and findings on the first charge and its specifications are disapproved, for the reason that three specifications to this charge are recorded but it only appears that the prisoner pleaded to, and the court proceeded to a finding

on, one of them, and the record does not show to which he pleaded, or of which he was found guilty.

The proceedings and findings on the second charge and specifications are also disapproved, for the reason that (probably on account of a clerical error) no such charge and specifications appear in the record.

The remainder of the proceedings and findings are approved. The sentence is redrafted to read "To be confined at hard labor under charge of the guard for three months, with forfeiture of ten dollars per month of his pay for same period," and, as commuted, is approved, and will be duly executed.

In the case of Private *Alonzo King*, Co. C, 11th Infantry, the proceedings are approved. The findings and sentence are disapproved. The prosecution introduces no evidence. The evidence for the defence does not prove the specification, and the prisoner's statement, upon which his conviction is presumed to rest, seems to have been considered only so far as it told against himself. Private *King* will be released from confinement and returned to duty.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, April 27, 1876, pursuant to paragraph IV, Special Orders No. 68, current series, Headquarters Department of Texas, of which Captain D. D. VAN VALZAH, 25th Infantry, is President, and Second Lieutenant J. C. OGD, 25th Infantry, Judge Advocate, was arraigned and tried:

9. Sergeant *Charles Burns*, Co. H, 10th Cavalry.

CHARGE—"Violation of the 62nd Article of War."

Specification 1st—"In that the said Sergeant *Charles Burns*, of Co. H, 10th Cavalry, acted in an indecent and improper manner towards Trumpeter Silas Jones, of Co. H, 10th Cavalry, during the night. This in the field near Delaware creek, Texas, on or about the 10th day of March, 1876."

Specification 2nd—"In that the said Sergeant *Charles Burns*, of Co. H, 10th Cavalry, acted in an indecent and improper manner towards Trumpeter Silas Jones, of Co. H, 10th Cavalry, while said Jones was lying on his bunk at night. This in the barracks of Co. H, 10th Cavalry, at Fort Davis, on or about the 14th day of April, 1876."

Specification 3rd—"In that the said Sergeant *Charles Burns*, of Co. H, 10th Cavalry, went to the bunk of Trumpeter Silas Jones, Co. H, 10th Cavalry, and acted in an indecent and improper manner towards said Jones. This in the barracks of Co. H, 10th Cavalry, at Fort Davis, Texas, on or about the 9th day of April, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first and second specifications, "Guilty."

Of the third specification, "Guilty, except the words 'and acted in an indecent and improper manner towards said Jones,' and of the excepted words, not guilty."

Of the charge, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Sergeant *Charles Burns*, Co. H, 10th Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now due or may become due, except the just dues of the landress."

The court is thus lenient on account of the previous good character of the accused, as testified to before the court.

10. Private *Richard Fishback*, Co. K, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."  
 Specification—"That Private *Richard Fishback*, of Co. K, 25th Infantry, did attempt to steal one saddle blanket, the property of the United States, and for which First Lieutenant H. B. Quimby, R. Q. M., 25th Infantry, Post Quartermaster, is accountable. This at Fort Davis, Texas, on or about the 19th day of April, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Not Guilty."

And the court does therefore acquit him, Private *Richard Fishback*, Co. K, 25th Infantry.

IV. In the case of Sergeant *Charles Burns*, Co. H, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *Richard Fishback*, Co. K, 25th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for their release from confinement.)

V. Before a General Court Martial which convened at Fort Stockton, Texas, on Thursday, March 16, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, was arraigned and tried:

11. Sergeant *Alfred Pinkston*, Co. M, 10th Cavalry.

CHARGE—"Violation of the 40th Article of War."

Specification—"In that he, Sergeant *Alfred Pinkston*, Co. M, 10th Cavalry, having been regularly detailed and mounted as sergeant in charge of the post guard, did, without permission from proper authority, or urgent necessity, quit his guard and visit a house in the adjoining settlement, without the limits of the post, and there attend a dance and engage in dancing; and did remain so absent a portion of the time between the hours of 11 o'clock P. M., March 30, and 2 o'clock A. M., March 31, 1876. This at Fort Stockton, Texas."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Sergeant *Alfred Pinkston*, Co. M, 10th Cavalry, "To be reduced to the ranks as a private; to forfeit to the United States ten (10) dollars of his pay for three (3) months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

VI. In the case of Sergeant *Alfred Pinkston*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

OFFICIAL:

*Assistant Adjutant General.*



# HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *May 23, 1876.*

## GENERAL COURT MARTIAL { ORDERS No. 16. }

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Wednesday, May 3, 1876, pursuant to paragraph III, Special Orders No. 66, Headquarters Department of Texas, dated April 15, 1876, San Antonio, Texas, of which Colonel W. H. Wood, 11th Infantry, is President, and Captain G. L. CHOISY, 11th Infantry, Judge Advocate, was arraigned and tried:

Second Lieutenant *William W. Shipman*, 11th Infantry.

CHARGE I—"Disobedience of orders."

*Specification*—"In this, that Second Lieutenant *Wm. W. Shipman*, 11th Infantry, being on duty as officer of the day, and having received an order from his post commander, through the post adjutant, to report in person at once to the post commander, did fail to obey said order, and did reply as follows, to-wit: 'I am not in a fit condition to see the commanding officer.' This at Fort Griffin, Texas, on or about February 18, 1876."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that Second Lieutenant *Wm. W. Shipman*, 11th Infantry, being on duty as officer of the day and a fire having broken out in his quarters, did leave the said premises while the same were on fire and go to the quarters of another officer, and there remain, failing to return and use the necessary exertion, in his capacity as officer of the day, to extinguish the fire. This at Fort Griffin, Texas, on or about February 18, 1876."

*Specification 2nd*—"In this, that Second Lieutenant *Wm. W. Shipman*, 11th Infantry, being on duty as officer of the day, did fail to visit the post guard at retreat roll-call, in violation of General Orders No. 103, Headquarters Fort Griffin, Texas, series of 1872. This at Fort Griffin, Texas, on or about February 18, 1876."

CHARGE III—"Drunkenness on duty."

*Specification*—"In this, that Second Lieutenant *Wm. W. Shipman*, 11th Infantry, being on duty as officer of the day, was drunk. This at Fort Griffin, Texas, on or about February 18, 1876."

CHARGE IV—"Conduct unbecoming an officer and a gentleman."

*Specification*—"In this, that Second Lieutenant *Wm. W. Shipman*, 11th Infantry, having been placed in arrest for drunkenness and having been released therefrom and restored to duty in consideration of giving to his commanding officer the following pledge, in words and figures as follows:

'FORT GRIFFIN, TEXAS,  
*February 2nd, 1876.*

I hereby pledge myself to abstain from all intoxicating liquors until the 1st day of January, 1878.

(Signed.) *Wm. W. SHIPMAN,*  
Second Lieutenant 11th Infantry.'

did violate said pledge and was drunk. This at Fort Griffin, Texas, on or about February 18, 1876."

To which charges and specifications the accused pleaded:

To the first charge and its specification,	"Not Guilty."
To the first specification, second charge,	"Not Guilty."
To the second specification, second charge,	"Guilty."
To the second charge,	"Not Guilty."
To the third and fourth charges and their specifications,	"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and its specification,	"Guilty."
Of the first specification, second charge	"Guilty."
Of the second specification, second charge, confirm his plea but attach no criminality thereto.	
Of the second charge,	"Guilty."
Of the third and fourth charges and their specifications,	"Not Guilty."

#### SENTENCE.

And the court does therefore sentence him, Second Lieutenant *William W. Shipman*, 11th Infantry, "To forfeit to the United States one-half of his monthly pay for the period of six months, and to be reprimanded in General Orders by the reviewing authority."

II. In the case of Second Lieutenant *William W. Shipman*, 11th Infantry, the proceedings and findings are approved. So much of the sentence as imposes a reprimand is disapproved, as the Commanding General holds that words are wasted on an officer, who, when officer of the day, as the evidence shows, deserted the scene of a dangerous fire in his own quarters when the flames broke out, leaving the building to burn and the whole post to catch fire, as far as he was concerned. It is bad enough, in all conscience, to neglect one's duty in such a juncture through drunkenness, but worse still to do so without even that poor excuse.

The remainder of the sentence, though entirely inadequate to the offence of which Lieutenant *Shipman* is found guilty, is confirmed, in order that he may not entirely escape punishment, and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CONCHO, TEXAS.

1. Private Henry Smith.....Company A, 10th Cavalry.
2. Private Samuel Smart.....Company L, 10th Cavalry.

### AT FORT DAVIS, TEXAS.

3. Private Toby Powell.....Company E, 25th Infantry.
4. Private Owen J. Turner.....Company H, 25th Infantry.

### AT FORT GRIFFIN, TEXAS.

5. Corporal Walter Franklin.....Company E, 10th Cavalry.
6. Private Joseph S. Holliday.....Company A, 11th Infantry.
7. Private James McGough.....Company G, 11th Infantry.

### AT FORT MCKAVETT, TEXAS.

8. Private William Mathias.....Company K, 10th Cavalry.

### AT FORT STOCKTON, TEXAS.

9. Private Robert Ballard.....Company M, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *May 22, 1876.*

### GENERAL COURT MARTIAL } ORDERS No. 15.

1. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders No. 25, paragraph I, Special Orders No. 44, paragraphs I and II, Special Orders No. 51, and paragraph I, Special Orders No. 68, current series, Headquarters Department of Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and Second Lieutenant C. R. WARD, 10th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *Henry Smith*, Co. A, 10th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *Henry Smith*, Co. A, 10th Cavalry, did, with felonious intent, break into the chicken-coop of Assistant Surgeon W. F. Buchanan, U. S. Army, Post Surgeon Fort Concho, Texas, by drawing out the staple which held the padlock of the door of the same, and did steal therefrom thirty chickens, more or less, one turkey and one duck, the property of the said Assistant Surgeon Buchanan. This on or about the night of April 11, or early morning of April 12, 1876, at Fort Concho, Texas."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *Henry Smith*, Co. A, 10th Cavalry, did absent himself from his company quarters without permission from proper authority. This between tattoo roll-call April 11, and reveille April 12, 1876, at Fort Concho, Texas."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Henry Smith*, Co. A, 10th Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due, and to be confined at such a place as the Department Commander may direct for the period of three (3) years."

2. Private *Samuel Smart*, Co. L, 10th Cavalry.

*CHARGE*—"Violation of the 39th Article of War."

*Specification*—"In this, that he, Private *Samuel Smart*, Co. L, 10th Cavalry, having been duly posted as a sentinel, was found asleep on his post between the hours of 12 M. and 1 A. M., when visited by the officer of the day. This at Fort Concho, Texas, on the 28th day of April, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Samuel Smart*, Co. L, 10th Cavalry, "To be confined at hard labor under charge of the guard at the post where his company may be serving for the period of four (4) months, and to forfeit to the United States ten dollars (\$10) of his pay per month for the same period."

II. In the cases of Privates *Henry Smith*, Co. A, and *Samuel Smart*, Co. L, 10th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *Smith* the post of Fort Concho, Texas, is designated as the place of confinement.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, April 27, 1876, pursuant to paragraph IV, Special Orders No. 68, current series, Headquarters Department of Texas, of which Captain D. D. VAN VALZAD, 25th Infantry, is President, and Second Lieutenant J. C. ORR, 25th Infantry, Judge Advocate, were arraigned and tried:

3. Private *Toby Powell*, Co. E, 25th Infantry.

*CHARGE*—"Violation of the 39th Article of War."

*Specification*—"That he, Private *Toby Powell*, Co. E, 25th Infantry, having been regularly detailed as a member of the camp guard, and posted as a sentinel over the horses and other property in said camp, did sit down and was found sleeping upon his post. This at a camp of his company, at Wild-Rose Pass, Texas, on or about the morning of the 5th day of April, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:



Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Toby Powell*, Co. E, 25th Infantry, "To forfeit to the United States ten dollars (\$10) per month of his pay for three (3) months, and to be confined at hard labor under charge of the guard for the same period."

4. Private *Owen J. Turner*, Co. H, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Owen J. Turner*, Co. H, 25th Infantry, did create a disturbance in his company barracks, and did engage in a quarrel with Private *Lemuel Simmons*, Co. H, 25th Infantry, and did place a cartridge in the chamber of his rifle and threaten and attempt to shoot the said Private *Simmons*, Co. H, 25th Infantry. This at Fort Davis, Texas, on or about April 18, 1876."

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and attempt,' and of the excepted words not guilty."

Of the charge,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Owen J. Turner*, Co. H, 25th Infantry, "To be confined at hard labor under charge of the post guard for the period of three (3) months, and to forfeit ten dollars (\$10) of his pay per month for the same period."

IV. In the cases of Privates *Toby Powell*, Co. E, and *Owen J. Turner*, Co. H, 25th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

V. Before a General Court Martial which convened at Fort Griffin, Texas, on Wednesday, May 3, 1876, pursuant to paragraph III, Special Orders No. 66, current series, Headquarters Department of Texas, of which Colonel W. H. Wood, 11th Infantry, is President, and Captain G. L. Choisy, 11th Infantry, Judge Advocate, were arraigned and tried:

5. Corporal *Walter Franklin*, Co. E, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Corporal *Walter Franklin*, Co. E, 10th Cavalry, did enter the store of the post trader at Fort Griffin, Texas, and did feloniously take, steal and carry away one Smith & Wesson revolver, Russian model, value twenty-two dollars (\$22.00), more or less, the property of Wm. N. Hick, post trader, with intention of appropriating said revolver to his own use. This at Fort Griffin, Texas, on or about February 4, 1876."

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Walter Franklin*, Co. E, 10th Cavalry, "To be dishonorably discharged from the service of

the United States, with forfeiture of all pay and allowances due or that may become due him, and to be confined in such military prison as the reviewing authority may designate for the period of one year."

6. Private *Joseph S. Holliday*, Co. A, 11th Infantry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Joseph S. Holliday*, Co. A, 11th Infantry, having been duly mounted as a member of the post guard, did become so much under the influence of intoxicating liquor as to be unfit to perform the duties of a soldier, properly. This at Fort Griffin, Texas, on the 31st day of March, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Not Guilty."

And the court does therefore acquit him, Private *Joseph S. Holliday*, Co. A, 11th Infantry.

7. Private *James McGough*, Co. G, 11th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *James McGough*, Co. G, 11th Infantry, did, without cause or provocation, attack with a razor, or other sharp instrument, and therewith severely cut and wound, Private *Bailey F. Fonville*, Co. G, 11th Infantry. This at or near Fort Griffin, Texas, on or about the 14th day of April, 1876."

Specification 2nd—"In this, that he, Private *James McGough*, Co. G, 11th Infantry, did become so much under the influence of intoxicating liquor as to be unable to perform, properly, the duties of a soldier. This at or near Fort Griffin, Texas, on or about April 14, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Not Guilty."

Of the charge, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *James McGough*, Co. G, 11th Infantry, "To be confined at hard labor in post guard house where his company may be serving for three months, and to forfeit to the United States ten (10) dollars of his monthly pay for same period."

VI. In the case of Corporal *Walter Franklin*, Co. E, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement.

In the case of Private *Joseph S. Holliday*, Co. A, 11th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

In the case of Private *James McGough*, Co. G, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

VII. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 13, 1875, pursuant to paragraph III, Special

Orders No. 229; and paragraph I, Special Orders No. 233, Headquarters Department of Texas, dated, respectively, December 6 and 10, 1875, San Antonio, Texas, of which Major T. M. ANDERSON, 10th Infantry, is President, and Second Lieutenant ALFRED LARKE, 10th Infantry, Judge Advocate, was arraigned and tried:

8. Private *William Mathias*, Co. K, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"That Private *William Mathias*, K Co., 10th Cavalry, did, while on the sick report, leave his quarters, without authority or necessity, and did visit the town near Fort McKavett, Texas. This between guard mount and noon on the 18th of April, 1876, at Fort McKavett, Texas."

Specification 2nd—"That Private *William Mathias*, K Co., 10th Cavalry, having received special instructions from Sergeant J. W. Robinson, (then Acting First Sergeant K Co., 10th Cavalry), at or about noon on the 18th of April, 1876, 'not to leave his quarters again while on the sick report,' did leave his quarters without authority or necessity. This at Fort McKavett, Texas, between noon and retreat, on or about the 18th of April, 1876."

Specification 3rd—"That Private *William Mathias*, K Co., 10th Cavalry, did, in violation of post orders, visit the town near Fort McKavett, Texas, between guard mount and noon, and between noon and retreat, on the 18th of April, 1876. This at Fort McKavett, Texas."

To which charge and specifications the accused pleaded:

To the first and third specifications,

"Not Guilty."

To the second specification,

"Guilty."

To the charge,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Mathias*, Co. K, 10th Cavalry, "To be confined at hard labor under charge of the guard at the post where his company may be serving for the period of three (3) months, and to forfeit to the United States eight (8) dollars a month of his monthly pay for the same period."

VIII. In the case of Private *William Mathias*, Co. K, 10th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read *two months* in place of "three (3) months," and, as mitigated, will be duly executed.

IX. Before a General Court Martial which convened at Fort Stockton, Texas, on Thursday, March 16, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, was arraigned and tried:

9. Private *Robert Ballard*, Co. M, 10th Cavalry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, Private *Robert Ballard*, Co. M, 10th Cavalry, after having been duly mounted as a member of the post guard, did become so much under the influence of intoxicating drink as to

be unable to properly perform his duty as a sentinel. This at Fort Stockton, Texas, March 27, 1876."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Robert Ballard*, Co. M, 10th Cavalry, after having been duly mounted as a member of the post guard and placed in charge of prisoner Richard Jones, while at work, did allow said prisoner to become drunk. This at Fort Stockton, Texas, March 27, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Robert Ballard*, Co. M, 10th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for the period of six (6) months, and to be confined at hard labor in charge of the guard at the station where his company may be serving for the same period."

X. In the case of Private *Robert Ballard*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Holden G. Adams.....Company C, 8th Cavalry.
2. Sergeant James Andrews.....Company C, 8th Cavalry.
3. Private Henry Baker.....Company D, 8th Cavalry.
4. Private August Handle.....Company D, 8th Cavalry.
5. Private Richard Bergath.....Company I, 8th Cavalry.
6. Private L. B. Haskins.....Company H, 24th Infantry.

### AT FORT CLARK, TEXAS.

7. Private Peter Held.....Company G, 10th Infantry.
8. Private William Arthur.....Company H, 10th Infantry.
9. Private Michael Fallon.....Company H, 10th Infantry.
10. Private James Curt.....Company K, 10th Infantry.
11. Private Charles Johnson.....Company F, 24th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, May 2, 1876.

### GENERAL COURT MARTIAL } ORDERS No. 14. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, March 16, 1876, pursuant to paragraph IV, Special Orders No. 25, paragraph IV, Special Orders No. 35, and paragraph I, Special Orders No. 58, current series, Headquarters Department of Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and First Lieutenant H. W. SPROLE, 8th Cavalry, Judge Advocate, were arraigned and tried:

1. Private Holden G. Adams, Co. C, 8th Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, Private Holden G. Adams, Co. C, 8th Cavalry, having been duly posted as a sentinel, did lie down and was found sleeping on his post. This at Fort Brown, Texas, on or about the 4th day of March, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private Holden G. Adams, Co. C, 8th Cavalry, "To forfeit to the United States ten dollars per month of his pay for the period of four (4) months, and to be confined in the guard house at the post where his company may be serving for the same period, during which time, from the 1st to the 7th and from the 15th to the 21st, inclusive, of each month, to be kept in solitary confinement on bread and water diet."

2. Sergeant James Andrews, Co. C, 8th Cavalry.

CHARGE I—"Drunkenness on guard, in violation of the 38th Article of War."

*Specification*—"That he, Sergeant *James Andrews*, Co. C, 8th Cavalry, was drunk at afternoon stables and retreat roll-call of his company. This at Fort Brown, Texas, on or about the 11th day of December, 1875."

CHARGE II—"Violation of the 17th Article of War."

*Specification*—"That he, Sergeant *James Andrews*, Co. C, 8th Cavalry, did sell, or through neglect lose, the following named articles of ordnance and ordnance stores and camp and garrison equipage, issued him for use in the military service, viz: one carbine sling, one carbine swivel, one carbine screw driver, one thong and brush wiper, two canteens and straps, one cap pouch, one bridle, curb, (cavalry), one saddle blanket, one lariat, one surcingle, one pair of spurs and straps, one curry comb, one horse brush, one nose bag, one pair of linen saddle bags, one meat ration can, one side line, one picket pin, one girth, (cavalry), one halter and strap, one screw driver, (Colt's pistol), one screw driver, (Remington), one bed sack, single, one mosquito bar and one shelter tent; total value of thirty-three dollars and eighty cents, (\$33.80), more or less. This at Fort Brown, Texas, on or about the 11th of December, 1875."

CHARGE III—"Violation of the 16th Article of War."

*Specification*—"That he, Sergeant *James Andrews*, C Co., 8th Cavalry, did sell, or wilfully or through neglect waste, the ammunition delivered out to him, viz: forty (40) carbine cartridges, calibre .45. This at Fort Brown, Texas, on or about the 11th day of December, 1875."

CHARGE IV—"Violation of the 60th Article of War."

*Specification*—"That he, Sergeant *James Andrews*, C Co., 8th Cavalry, did take, steal and carry away, and appropriate to his own use and benefit, the following named articles, property of the United States, for which Captain George W. Chilson, 8th Cavalry, was responsible, viz: one Springfield carbine, calibre .45, one Colt's pistol, cal. .45, one pistol holster, one sabre-belt and plate, one cartridge box, (carbine), forty rounds of carbine cartridges, calibre .45, to the total value of one hundred and seven dollars and one cent, (\$107.01), more or less. This at Fort Brown, Texas, on or about the 11th day of December, 1875."

CHARGE V—"Desertion."

*Specification*—"That he, Sergeant *James Andrews*, C Co., 8th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service, and did remain absent therefrom until arrested in the city of Brownsville, Texas, on or about the 30th day of December, 1875. This at Fort Brown, Texas, on or about the 11th day of December, 1875."

To which charges and specifications the accused pleaded:

To the first, second, third and fourth charges and their specifications, "Not Guilty."

To the fifth charge and its specification, "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

"Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Sergeant *James Andrews*, Co. C, 8th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due to him; to be dishonorably discharged!

the service of the United States, and to be confined in such military prison as the proper authority may direct, for the period of three (3) years."

3. Private *Henry Baker*, Co. D, 8th Cavalry.

CHARGE I—"Violation of the 47th Article of War."

*Specification*—"In this, that he, Private *Henry Baker*, Co. D, 8th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same, and did remain a deserter until February 20, 1876, when he surrendered himself to the officer of the guard at Fort Brown, Texas. This at Fort Brown, Texas, on or about the 15th day of February, 1876."

CHARGE II—"Violation of the 60th Article of War."

*Specification*—"In this, that he, Private *Henry Baker*, Co. D, 8th Cavalry, did steal, take away and appropriate, or otherwise dispose of, to his own use and benefit, one (1) Springfield carbine, calibre .45, value \$50.00, more or less, one (1) saddle, value \$13.69, more or less, one (1) curb bridle, value \$4.34, more or less, two (2) saddle blankets, value \$8.00, more or less, all of which were the property of the United States, and for which Captain James F. Randlett, 8th Cavalry, is accountable. This at Fort Brown, Texas, on or about the 15th day of February, 1876."

CHARGE III—"Violation of the 62nd Article of War."

*Specification 1st*—"In this, that he, Private *Henry Baker*, Co. D, 8th Cavalry, did steal, carry away, and appropriate to his own use and benefit one (1) hat, value \$4.00, more or less, the property of Private Charles King, Co. D, 8th Cavalry. This at Fort Brown, Texas, on or about the 15th day of February, 1876."

*Specification 2nd*—"In this, that he, Private *Henry Baker*, Co. D, 8th Cavalry, did steal, carry away, and appropriate to his own use, one (1) scouting belt, value \$2.00, more or less, the property of Private William W. Ormsby, Co. D, 8th Cavalry. This at Fort Brown, Texas, on or about the 15th day of February, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Henry Baker*, Co. D, 8th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged the service of the United States, and to be confined in such military prison as the proper authority may direct for the period of three (3) years."

4. Private *August Handle*, Co. D, 8th Cavalry.

CHARGE—"Violation of the 40th Article of War."

*Specification*—"In this, that he, Private *August Handle*, Co. D, 8th Cavalry, having been duly mounted a member of the post guard and being a sentinel in charge of a prisoner, did quit his guard, and did remain absent from his guard during the remainder of his tour—twelve (12) hours, more or less. This at Fort Brown, Texas, on or about the 18th day of March, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *August Handle*, Co. D, 8th Cavalry, "To be confined at hard labor in charge of the guard for one (1) year, and to forfeit to the United States ten dollars (\$10.00) per month of his pay for the same period."

5. Private *Richard Bergath*, Co. I, 8th Cavalry.

CHARGE I—"Desertion."

*Specification*—"In that *Richard Bergath*, private Co. I, 8th Cavalry, having been properly enlisted as a soldier in the army of the United States, did desert the same at or near Fort Brown, Texas, on or about the 21st day of January, 1876, and remain absent until he surrendered himself at Jackson Barracks, La., on the 2nd of February, 1876. This at or near the places and on or about the dates above specified."

CHARGE II—"Violation of the 17th Article of War."

*Specification*—"In that *Richard Bergath*, private Co. I, 8th Cavalry, did sell, or through neglect lose, the following articles of ordnance stores, the property of the United States, which had been issued to him as part of his equipment as a soldier: one (1) canteen and strap, value \$0.38, one spurs and straps, value \$0.60, twenty-four (24) revolver cartridges, calibre .45, value \$1.44, and forty (40) carbine cartridges, calibre .45, value \$2.40. Total value \$4.82. This at or near Fort Brown, Texas, on or about the 21st day of January, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the word 'desert,' substituting therefor the words 'without permission from proper authority absent himself from,' and of the excepted word not guilty."

Of the first charge, "Not guilty of desertion but guilty of 'absence without leave.'"

Of the second charge and its specification, "Not Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Richard Bergath*, Co. I, 8th Cavalry, "To be confined in charge of the guard, at hard labor, for three (3) months, and to forfeit to the United States ten dollars (\$10) of his pay for four (4) months."

6. Private *L. B. Haskins*, Co. H, 24th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *Lewis B. Haskins*, Co. H, 24th Infantry, did steal, take and carry away, from the knapsack of Private *Alford Riddle*, Co. C, 24th Infantry, one (1) great coat, the property of said *Riddle*, it having been issued to him as a part of his uniform, valued at six dollars and forty-four cents (\$6.44), more or less, and hide the same under a box with intent to appropriate the same to his own use. This at Fort Brown, Texas, December 13, 1875."

CHARGE II—"Lying, to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *Lewis B. Haskins*, Co. H, 24th Infantry, having been asked by the first sergeant of his company, *James Thomas*, Co. H, 24th Infantry, (in the execution of his duty), if he (*Haskins*) put the great coat in question under the box, did reply that he knew nothing about it, or words to that effect, knowing the same to be false. This at Fort Brown, Texas, December 13, 1875."



To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,

"Not Guilty."

And the court does therefore acquit him, Private *Lewis B. Haskins*, Co. H, 24th Infantry.

II. In the case of Private *Holden G. Adams*, Co. C, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is commuted to read "To forfeit to the United States ten dollars per month of his pay for four months, and to be confined at hard labor under charge of the guard for the same period."

In the case of Sergeant *James Andrews*, Co. C, 8th Cavalry, the only evidence for the prosecution in the record, relating to the second, third and fourth charges and their respective specifications, is that given by the company clerk, who, after testifying to his own and the prisoner's identity, was asked if he was present when charges were drawn up against the prisoner, to which he replied in the affirmative. The witness was next asked if he could state of his own knowledge on what authority the property claimed in the charges to have been lost was so stated, to which he replied "on the company charge book." The next and only other question was "Do you know of a certainty that the alleged number of articles which the prisoner is claimed to have lost or disposed of in these charges agreed with the same number and kind of property, issued to him in the company, and which he had failed to account for at the time of his desertion?" to which the witness answered "I was informed at the time of his desertion, by the first sergeant of the company, that he had failed to turn this property in, and I so charged it in the company charge book."

The findings in question are disapproved, for the following reasons:

1st. The last question is objectionably leading.

2nd. There is nothing to show that the charges the witness saw drawn up, are the same as those appearing in the proceedings.

3rd. Only secondary (oral) evidence of the contents of the company charge book was offered; the best evidence—the book itself—should have been produced; or, to have authorized the admission of this secondary evidence, the absence of the book should have been properly accounted for.

4th. Even had the company charge book been produced, the alleged entries therein only tended to show that the prisoner was charged with the articles, not that he actually received them, unless, indeed, the book had contained his written receipts, the which is not intimated in the record. Without such receipts therein, the book in question was only a memorandum book, and additional evidence was, therefore, necessary to prove the facts set forth by the entries.

5th. Admitting it to be proved that the prisoner had received the articles, the evidence to show that he never turned them in is purely hearsay, and therefore incompetent.

It may be remarked that the court was offered an opportunity to reverse its findings but declined to take advantage of it.

The proceedings, and the findings to the remaining charges and specifications are approved. The sentence is approved, but the term of confinement is reduced to one year, and, as mitigated, the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Private *Henry Baker*, Co. D, 8th Cavalry, the proceedings, findings and sentence are approved. The period of confinement is reduced to two years. As mitigated, the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Brown, Texas, until further orders.

In the case of Private *August Handle*, Co. D, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is reduced to read *six months* in place of "one (1) year," and, as mitigated, will be duly executed.

In the case of Private *Richard Bergath*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *Lewis B. Haskins*, Co. H, 24th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

III. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, March 1, 1876, pursuant to paragraph IV, Special Orders No. 33, and paragraph II, Special Orders No. 37, current series, Headquarters Department of Texas, of which Colonel J. I. GREGG, 8th Cavalry, is President, and First Lieutenant J. T. KIRKMAN, 10th Infantry, Judge Advocate, were arraigned and tried:

7. Private *Peter Held*, Co. G, 10th Infantry.

CHARGE—"Violation of the 38th Article of War."

*Specification*—"In this, that he, Private *Peter Held*, Co. G, 10th Infantry, having been duly mounted as a member of the post guard, did become so drunk as to be unable to properly perform any military duty.

This at Fort Clark, Texas, on the 16th day of March, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Peter Held*, Co. G, 10th Infantry, "To forfeit ten (10) dollars per month of his monthly pay for three (3) months, and to be confined at hard labor in the post guard house for three (3) months."

8. Private *William Arthur*, Co. H, 10th Infantry.

CHARGE I—"Violation of the 32nd Article of War."

(Five specifications alleging violation of this Article on March 15, April 3, September 15, 1875, and March 5 and 7, 1876).

CHARGE II—"Violation of the 33rd Article of War."

*Specification 1st*—"In that he, Private *William Arthur*, Co. H, 10th Infantry, having been regularly detailed for duty with the post fatigue party, did, without permission from proper authority or other valid reason, fail to repair at the time fixed to the place appointed by his commanding officer for the assembling of the said fatigue party. This at Fort Clark, Texas, on or about March 15, 1875."

*Specification 2nd*—"In that he, Private *William Arthur*, Co. H, 10th Infantry, having been regularly detailed for guard, did, without permission from proper authority or other valid reason, fail to repair at the time fixed to the place appointed by his commanding officer for the assembling of the post guard. This at Fort Clark, Texas, on or about March 8, 1876."

CHARGE III—"Violation of the 38th Article of War."

*Specification 1st*—"In that he, Private *William Arthur*, Co. H, 10th Infantry, having been regularly detailed for the post guard, did become so drunk as to be unable to mount guard. This at Fort Clark, Texas, on or about March 1, 1875."

*Specification 2nd*—"In that he, Private *William Arthur*, Co. H, 10th Infantry, was drunk at the target practice of his company. This at Fort Clark, Texas, on or about May 31, 1875."

*Specification 3rd*—"In that he, Private *William Arthur*, Co. H, 10th Infantry, having been regularly detailed as supernumerary of the post guard and acting as such, did become drunk. This at Fort Clark, Texas, on or about March 7, 1876."

CHARGE IV—"Conduct to the prejudice of good order and military discipline."

(*Thirteen specifications setting forth several acts of drunkenness on March 1, 15, April 3, 6, May 31, June 14, August 9, September 8, November 11, 12, December 25 and 26, 1875, and March 8, 1876*).

To which charges and specifications the accused pleaded:

To the first, second and third charges and their specifications, "Guilty."

To the specifications, fourth charge, "Guilty."

To the fourth charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Arthur*, Co. H, 10th Infantry, "To be dishonorably discharged the service, forfeiting all pay and allowances now due or that may become due him."

9. Private *Michael Fallon*, Co. H, 10th Infantry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In this, that he, Private *Michael Fallon*, Co. H, 10th Infantry, having been duly mounted as a member of the post guard and posted on post No. 2 by Sergeant *Charles L. Hart*, Co. G, 10th Infantry, sergeant of the guard, at 7 o'clock P. M., did leave his post before he was regularly relieved, and did remain absent until about 4 o'clock on the morning of March 17, 1876. This at Fort Clark, Texas, on the evening of March 16 and morning of March 17, 1876."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael Fallon*, Co. H, 10th Infantry, "To forfeit ten (10) dollars per month of his monthly pay for four (4) months, and to be confined at hard labor in the post guard house for four (4) months."

10. Private *James Curt*, Co. K, 10th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification*—"In that he, Private *James Curt*, Co. K, 10th Infantry, having been duly mounted as a member of the post guard, and sent from the guard house in charge of two prisoners, by Sergeant *Charles L. Hart*, Co. G, 10th Infantry, sergeant of the guard, (he being in the performance of his duty), said *Curt* did allow the said two prisoners

to get drunk; and did remain absent from the guard house with the two prisoners until brought in by a non-commissioned officer of the guard after retreat roll-call; he having been sent out in charge of the two prisoners at 1 o'clock P. M. This at Fort Clark, Texas, on the 16th day of March, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Not Guilty."

And the court does therefore acquit him, Private *James Curt*, Co. K, 10th Infantry.

II. Private *Charles Johnson*, Co. F, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Charles Johnson*, Co. E, 24th Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 22nd day of June, 1874, at Fort McIntosh, Texas, desert from the service of the United States, and did remain absent until apprehended on or about February 1, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles Johnson*, Co. F, 24th Infantry, "To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances now due or that may become due him, and to be confined at hard labor at such military prison as the Department Commander may designate for two (2) years."

IV. In the cases of Privates *Peter Held*, Co. G, *William Arthur* and *Michael Fallon*, Co. H, 10th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In the case of Private *James Curt*, Co. K, 10th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

In the case of Private *Charles Johnson*, Co. F, 24th Infantry, the proceedings, findings and sentence are approved. In view of the unanimous recommendation to mercy by the members of the court the sentence is commuted to read "To forfeit to the United States all pay now due, and to be confined at hard labor under charge of the guard for six months, and to forfeit twelve dollars of his monthly pay for six months," and will be so executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CONCHO, TEXAS.

1. Private Isaac Fry .....Company F, 10th Cavalry.
2. Private Richard Harrison .....Company I, 10th Cavalry.
3. Private Benjamin Campbell.....Company L, 10th Cavalry.
4. Private William Scott .....Company L, 10th Cavalry.

### AT FORT MCKAVETT, TEXAS.

5. Private Scott Bridgewater.....Company K, 10th Cavalry.
6. Private Scott Bridgewater.....Company K, 10th Cavalry.
7. Corporal Samuel Mitchell .....Company E, 10th Infantry.

### AT RINGGOLD BARRACKS, TEXAS.

8. Private James Howard.....Company A, 8th Cavalry.
9. Private William Marlow.....Company E, 8th Cavalry.
10. Private John Busted .....Company G, 8th Cavalry.
11. Sergeant Edward Tool.....Company G, 8th Cavalry.
12. Private Marion W. Berry.....Company M, 8th Cavalry.
13. Private Albert E. Biggers.....Company A, 24th Infantry.
14. Private Albert Terry.....Company K, 24th Infantry.

### AT FORT STOCKTON, TEXAS.

15. Private Silas Page.....Company M, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, April 22, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 13. }

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders Nos. 25 and 51, Headquarters Department of Texas, dated, respectively, February 11 and March 23, 1876, San Antonio, Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and First Lieutenant S. R. COLLADAY, 10th Cavalry, Judge Advocate, were arraigned and tried:

1. Private Isaac Fry, Co. F, 10th Cavalry.

CHARGE—"Violation of the 17th Article of War."

Specification—"In that Private Isaac Fry, Co. F, 10th Cavalry, did, by neglect, lose one (1) Springfield carbine, the property of the United States, and which had been issued to him for use in service. This at Fort Concho, Texas, on or about the 15th day of February, 1876."  
To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Not Guilty."

And the court does therefore acquit him, Private Isaac Fry, Co. F, 10th Cavalry.

2. Private *Richard Harrison*, Co. I, 10th Cavalry.

CHARGE I—"Violation of the 40th Article of War."

Specification—"In this, that he, Private *Richard Harrison*, Co. I, 10th Cavalry, having been regularly detailed and mounted as a private of the post guard, mounted at Fort Concho, Texas, on the 24th day of February, 1876, and duly posted as a sentinel on post No. 3, did leave said post without being regularly relieved. This at Fort Concho, Texas, between the hours of 11 P. M. and 1 A. M., on or about the 25th day of February, 1876."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Richard Harrison*, Co. I, 10th Cavalry, a duly mounted private of the guard, mounted at Fort Concho, Texas, on the 24th day of February, 1876, when ordered by the Sergeant of the guard (Sergeant Brown, Co. G, 10th Cavalry) to take off his belts, did attempt, by force, to prevent the execution of said order, he, Private *Richard Harrison*, Co. I, 10th Cavalry, loading his carbine, and attempting to raise it as if to fire at Sergeant Johnson, Co. I, 10th Cavalry, Sergeant Johnson being engaged in the execution of an order given him by the officer of the day. This at Fort Concho, Texas, on or about the 25th day of February, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and specification, "Guilty."

Of the second charge and specification, "Guilty, except the words 'loading his carbine,' and of the excepted words, not guilty."

Of the second charge, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Harrison*, Co. I, 10th Cavalry, "To forfeit to the United States twelve (\$12) dollars of his monthly pay for two (2) years, and to be confined at such place as the Department Commander may direct for the same period."

3. Private *Benjamin Campbell*, Co. L, 10th Cavalry.

CHARGE—"Sleeping on post, in violation of the 39th Article of War."

Specification—"In that he, Private *Benjamin Campbell*, Co. L, 10th Cavalry, being a duly posted sentinel over the hay stacks belonging to the quartermaster's department, at Fort Concho, Texas, did go to sleep on said post. This at Fort Concho, Texas, on March 24th, 1876."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Benjamin Campbell*, Co. L, 10th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all his pay and allowances now due or to become due, and to be confined in such place as the Department Commander may designate for one (1) year."

4. Private *William Scott*, Co. L, 10th Cavalry.

CHARGE I—"Stealing and disposing of United States property, in violation of the 60th Article of War."

*Specification 1st*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did steal from the stable of Assistant Surgeon W. F. Buchanan, U. S. Army, one sack of corn, more or less, the property of the United States, issued for the use of Assistant Surgeon Buchanan's horses, and did wrongfully dispose of, or sell, the same to a citizen named James W. Walker. This at Fort Concho, Texas, on or about the night of January 3, 1876."

*Specification 2nd*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did steal from the stable of Assistant Surgeon Buchanan, U. S. Army, a quantity of corn, the property of the United States—amount unknown—and did dispose of the same by selling it to one Mike Caddle, a huckster. This at different times, between November 5, 1875, and January 5, 1876, and at Fort Concho, Texas."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did, unlawfully, enter the hospital ward during the night, and with felonious intent, and did then and there abstract, or steal, from about the bedding of John Thomas, hospital launderer, the sum of two (\$2) dollars in United States currency, the property of said Thomas. This at Fort Concho, Texas, on or about January 11, 1876."

*Specification 2nd*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did enter the hospital ward, during the night, with felonious intent, and did then and there abstract, or steal, from about the bedding of Private John H. Little, Co. G, 10th Cavalry, an attendant in post hospital, the sum of forty-eight (\$48) dollars in United States currency, the property of the said Private Little. This at Fort Concho, Texas, on or about January 11, 1876."

*Specification 3rd*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did enter the hospital ward during the night, with felonious intent, and did then and there abstract, or steal, from about the bedding of Joseph Wright, Co. G, 10th Cavalry, a patient in post hospital, the sum of ten (\$10) dollars in United States currency, the property of the said Private Wright. This at Fort Concho, Texas, on or about January 11, 1876."

CHARGE III—"Conduct prejudicial to good order and military discipline."

*Specification 1st*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did connive with one Charles Young, a colored citizen, to steal and dispose of two (2) blankets, the property of the United States Army Medical Department. This at Fort Concho, Texas, on or about November 12, 1875."

*Specification 2nd*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did bring into post hospital a quantity of whisky, or other intoxicating liquor—about two gallons—and did give of it to hospital attendants and patients in hospital, all in direct violation of the order of the post surgeon. This at Fort Concho, Texas, on or about January 11, 1876."

*Specification 3rd*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did bring into post hospital whisky, or other intoxicating liquor—about two gallons—and did sell of it to attendants and patients in post hospital, all in direct violation of the order of the post surgeon. This at Fort Concho, Texas, on or about January 13, 1876."

*Specification 4th*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, did bring whisky, or other intoxicating liquor, into post hospital, stating to attendants and patients that post surgeon had given him permission to do so, knowing this statement to be false, and subversive of military discipline. This at Fort Concho, Texas, on or about January 11, 1876."

*Specification 5th*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, having in his possession a quantity of melons, did state to post surgeon that a huckster, Mike Caddle, had given them to him to sell for him, knowing this statement to be false, and made with a view to deceive his superior officer, Dr. Buchanan, and knowing that the melons were given him by the said Mike Caddle in exchange for corn which he, Private *Scott*, had stolen from the stable of Dr. Buchanan, U. S. Army, said corn being the property of the United States, and issued for the use of horses belonging to Dr. Buchanan, U. S. Army. This at Fort Concho, Texas, on or about October 15, 1875."

*Specification 6th*—"In this, that he, Private *William Scott*, Co. L, 10th Cavalry, hospital attendant, when search was being made for one Charles Young, a colored citizen, who, it was alleged, had broken into and stolen from hospital laundry, did state to Deputy Sheriff C. C. Little, that said Charles Young had just a little while before gone up in rear of officers quarters, in the direction of post trader's, knowing this statement to be false, and made with a view to keep the pursuing party off the track of said Charles Young. This at Fort Concho, Texas, on or about February 8, 1876."

ADDITIONAL CHARGE—"Conduct prejudicial to good order and military discipline, in violation of the 62nd Article of War."

*Specification*—In this, that he, Private *William Scott*, Co. L, 10th Cavalry, having been confined in the post guard house, under charges in which John Thomas, hospital launderer, was an important witness, did write, or cause to be written, and did send, or cause to be sent, to the said John Thomas, a threatening note, said note being subversive of military discipline, and intended to intimidate said witness and prevent the administration of justice, and being in words and figures as follows:

‘FORT CONCHO

friend tomas i Hate to teel you that i Here that You are the Instigastion Of Scoot Being the gard House if that is so You Better Leave Here if Scoot get is tried You Better Leave Here As Soon as possible

From One Of Scoot freinds  
take this in Your Head or else  
it will be A nock in Your Head'

And addressed on the back:

‘Tomas Hospital  
Lauadress'

This at Fort Concho, Texas, on or about the 10th of February, 1876."  
To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge, "Guilty, except the words 'or sell,' and of the excepted words not guilty."

Of the second specification, first charge,

"Not Guilty."

Of the first charge,

"Guilty."



(Before the close of the prosecution the Judge Advocate entered a *nolle prosequi* to the second and third specifications, second charge).

Of the first specification, second charge "Not Guilty."

Of the first specification, third charge, "Not Guilty."

Of the second specification, third charge, "Guilty, except the words 'about two (2) gallons,' and of the excepted words, not guilty."

Of the third specification, third charge, "Not Guilty."

Of the fourth specification, third charge, "Guilty."

Of the fifth specification, third charge, "Not Guilty."

Of the sixth specification, third charge, "Not Guilty."

Of the third charge, "Guilty."

Of the specification, additional charge, "Guilty, except the words 'did write, or cause to be written,' and of the excepted words, not guilty."

Of the additional charge, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Scott*, Co. L, 10th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him, and to be confined at such place as the Department Commander may direct for two (2) years."

II. In the case of Private *Isaac Fry*, Co. F, 10th Cavalry, the proceedings, findings and acquittal are approved.

(*Orders have already been issued for his release from confinement*).

In the case of Private *Benjamin Campbell*, Co. L, 10th Cavalry, the proceedings, findings and sentence are approved. The period of confinement is reduced to six (6) months. As mitigated, the sentence will be duly executed. The post of Fort Concho is designated as the place of confinement.

In the case of Private *Richard Harrison*, Co. I, 10th Cavalry, the proceedings are approved. The findings to the first charge and specification are disapproved, as the character of the testimony relating thereto is sufficient to create a doubt of the prisoner's guilt. The evidence in support of the specification to the second charge is insufficient to show that the prisoner resisted the order to take his belts off, though it shows he disobeyed a part of the order, not set forth in the specification, requiring him to turn his belts over to Sergeant Johnson, and offered violence to the latter as found by the court. The evidence also fails to show that Sergeant Johnson was in the execution of an order given him by the officer of the day, though it does appear that he was carrying out the instructions of the senior non-commissioned officer of the guard. Subject to these remarks, the findings to the second charge and its specification are approved.

The term for which the prisoner has been sentenced to confinement, and forfeiture of pay, is reduced to one year, the confinement to be undergone at the post where the prisoner's company may be serving, and, as mitigated, the sentence will be duly executed.

In the case of Private *William Scott*, Co. L, 10th Cavalry, the proceedings, generally, are approved. The findings to the first charge and its specifications, to the second charge and its first specification, and to the third charge and its specifications, are approved. The findings to the additional charge and its specification are disapproved. What would seem to be the threatening letter, the sending of which was the gist of the offence, came loose in the same envelope with the proceedings, but the record altogether neglects to show it to be the same letter, or that it, or any

letter, was read to the court. The letter, after having been identified, should have been read and exhibited to the court, and made a part of the record, duly marked and appended.

The sentence is approved, but the term of confinement is reduced to one year.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be held in confinement at Fort Concho, Texas, until further orders.

III. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 13, 1875, pursuant to paragraph III, Special Orders No. 229, and paragraph I, Special Orders No. 233, Headquarters Department of Texas, dated, respectively, December 6 and 10, 1875, San Antonio, Texas, of which Major T. M. ANDERSON, 10th Infantry, is President, and Second Lieutenant ALURED LARKE, 10th Infantry, Judge Advocate, were arraigned and tried:

5. Private *Scott Bridgewater*, Co. K, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline, in violation of the 62nd Article of War."

*Specification 1st*—"In this, that Private *Scott Bridgewater*, Co. K, 10th Cavalry, did steal from Mrs. Maria Robinson, a laundress of Co. K, 10th Cavalry, about four (4) pounds of sugar, more or less, the same being a part of the rations issued to, and the property of, Sergeant Daniel Johnson and his wife, a laundress, both of Co. K, 10th Cavalry, by the United States Subsistence Department, for the month of February, 1876. This at Fort McKavett, Texas, on or about the 1st day of February, 1876."

*Specification 2nd*—"In this, that Private *Scott Bridgewater*, Co. K, 10th Cavalry, did steal from Mrs. Maria Robinson, a laundress of Co. K, 10th Cavalry, two (2) bread orders, for ten (10) rations each; also, two (2) beef orders, one for seventy-two and one-half (72½) pounds, more or less, the other for fifty (50) pounds, more or less; also, one pair of kid gloves, the property of the said Mrs. Maria Robinson; the aforesaid beef and bread orders having been issued to Sergeant Daniel Johnson, Co. K, 10th Cavalry, and his wife Maggie Johnson, a laundress of Co. K, 10th Cavalry, and to Sergeant John W. Robinson, Co. K, 10th Cavalry, and to his wife Maria Robinson, a laundress of Co. K, 10th Cavalry, by the United States Subsistence Department, for the month of February 1876."

CHARGE II—"Conduct prejudicial to good order and military discipline, in violation of the 62nd Article of War."

*Specification*—"In this, that Private *Scott Bridgewater*, Co. K, 10th Cavalry, having been detected at theft by Sergeant John W. Robinson, Co. K, 10th Cavalry, did attempt to bribe the said Sergeant Robinson, by offering to pay him from five (\$5) to fifteen (\$15) dollars, more or less, if he, the said Sergeant John W. Robinson, would not report him to Lieutenant R. G. Smither, 10th Cavalry, who was temporarily in command of the company. This at Fort McKavett, Texas, on or about the 1st day of February, 1876."

CHARGE III—"Disobedience of orders, in violation of the 21st Article of War."

*Specification*—"In this, that Private *Scott Bridgewater*, Co. K, 10th Cavalry, having been ordered by Lieutenant R. G. Smither, 10th Cavalry, he being in the execution of his office, to go to his quarters and remain

there until he, Lieutenant Smither, should visit the quarters for the purpose of investigating certain charges made against the said Private *Bridgewater*, did fail to obey the said order, and did leave the said quarters, and remain away until arrested and brought back by Sergeant John W. Robinson, Co. K, 10th Cavalry. This at Fort McKavett, Texas, on or about the 1st day of February, 1876."

"To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not Guilty."
Of the first charge,	"Guilty."
Of the remaining charges and specifications,	"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Scott Bridgewater*, Co. K, 10th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due him, and to be confined at hard labor at such military prison as the reviewing authority may direct for the period of six (6) months."

6. Private *Scott Bridgewater*, Co. K, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline, in violation of the 62nd Article of War."

Specification—"In this, that Private *Scott Bridgewater*, Co. K, 10th Cavalry, did steal, carry away, and appropriate to his own use and benefit, one (1) woolen shirt, valued at five (\$5) dollars, the property of Captain E. G. Bush, 10th Infantry. This at Fort McKavett, Texas, on or about the 4th day of December, 1875."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,	"Guilty."
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#### SENTENCE.

And the court does therefore sentence him, Private *Scott Bridgewater*, Co. K, 10th Cavalry, "To be dishonorably discharged, with loss of all pay and allowances, and to be confined at hard labor for the period of six months at such military prison as the reviewing authority may direct."

7. Corporal *Samuel Mitchell*, Co. E, 10th Infantry.

CHARGE—"Violation of the 62nd Article of War."

Specification 1st—"In this, that Corporal *Samuel Mitchell*, Co. E, 10th Infantry, did enter the squad-room of his company—while under the influence of intoxicating liquor—and did create a disturbance therein, by breaking a bench, and throwing portions of the same about the room, and, when ordered by First Sergeant Major Irving, Co. E, 10th Infantry—said sergeant being in the execution of his duty—to desist from such disorderly conduct, and to keep quiet, did fail to obey said order, and did, immediately thereafter, break two other benches in said squad-room, and throw parts of the same about the room. This at Fort McKavett, Texas, between the hours of 12 M. and 1 o'clock P. M., on the 18th day of March, 1876."

Specification 2nd—"In this, that Corporal *Samuel Mitchell*, Co. E, 10th Infantry, having been ordered by First Sergeant Major Irving, Co. E, 10th Infantry, to confine himself to his quarters, with the privilege of visiting the company mess-room and rear, and to go no where else,

by order of the company commander, or words to that effect, did, notwithstanding said order, visit the saloon of the post trader. This at Fort McKavett, Texas, between the hours of 1 and 3 o'clock P. M., on the 18th day of March, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Corporal *Samuel Mitchell*, Co. E, 10th Infantry, "To be reduced to the ranks and confined at hard labor for three months at the post of his company, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period."

IV. The proceedings, findings and sentence in the first of the foregoing cases of Private *Scott Bridgewater*, Co. K, 10th Cavalry, are approved, and will be duly executed.

In the case of the second trial the proceedings are approved. The findings and sentence are disapproved, there being a doubt in the mind of the reviewing authority as to the conclusiveness of the evidence, the benefit of which is given the prisoner. The prisoner will be set at liberty at the expiration of the sentence awarded by the court in the first trial.

In the case of Corporal *Samuel Mitchell*, Co. E, 10th Infantry, the proceedings and findings are approved. The sentence is reduced to read: "To be reduced to the ranks," and, as mitigated, will be duly executed. The prisoner will be released from confinement and returned to duty as a private soldier.

V. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, March 16, 1876, pursuant to paragraph IV, Special Orders No. 25, and paragraph I, Special Orders No. 41; paragraph VI, Special Orders No. 54, and paragraph VII, Special Orders No. 54, current series, Headquarters Department of Texas, dated, respectively, February 12, March 8 and 27, 1876, San Antonio, Texas, of which Captain S. B. M. YOUNG, 8th Cavalry, is President, and Second Lieutenants HENRY WYGANT, and W. H. W. JAMES, 24th Infantry, Judge Advocates, were arraigned and tried:

8. Private *James Howard*, Co. A, 8th Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In that Private *James Howard*, Co. A, 8th Cavalry, a duly mounted member of the post guard, was found so much under the influence of intoxicating liquor as to be unable to perform the duties of a sentinel. This at Ringgold Barracks, Texas, on the 22nd day of March, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *James Howard*, Co. A, 8th Cavalry, "To forfeit to the United States ten (\$10) dollars per month of his monthly pay for four (4) months, and to be confined at hard

labor in charge of the guard at the post where his company may be serving for the same period."

9. Private *William Marlow*, Co. E, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In this, that he, Private *William Marlow*, Co. E, 8th Cavalry, having been duly mounted as a member of the post guard at Ringgold Barracks, Texas, and having been duly posted as a sentinel over the quartermaster's store house, was found asleep. This at Ringgold Barracks, Texas, on or about the 21st day of March, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Marlow*, Co. E, 8th Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for six (6) months, and to be confined at hard labor in charge of the guard at the post where his company may be stationed for same period."

10. Private *John Busteed*, Co. G, 8th Cavalry.

CHARGE I—"Absence without leave."

Specification—"In that he, Private *John Busteed*, Co. G, 8th Cavalry, did, without permission from proper authority, absent himself from his company and quarters between tattoo roll-call March 20, 1876, and about 3 o'clock p. m., March 21, 1876. This at or near Ringgold Barracks, Texas, on or about the dates above specified."

CHARGE II—"Violation of the 33rd Article of War."

Specification—"In that he, Private *John Busteed*, Co. G, 8th Cavalry, having been duly detailed for guard, did fail to repair to the place appointed for guard mounting by the commanding officer. This at or near Ringgold Barracks, Texas, on or about March 21, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Busteed*, Co. G, 8th Cavalry, "To forfeit to the United States ten (\$10.00) dollars of his monthly pay for two months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

11. Sergeant *Henry Tool*, Co. G, 8th Cavalry.

CHARGE I—"Absence without leave."

Specification—"In that he, Sergeant *Edward Tool*, Co. G, 8th Cavalry, did, without permission from proper authority, absent himself from his company and quarters between tattoo roll-call March 20, 1876, and reveille roll-call March 22, 1876. This at or near Ringgold Barracks, Texas, on or about the dates above specified."

CHARGE II—"Violation of the 33rd Article of War."

Specification—"In that he, Sergeant *Edward Tool*, Co. G, 8th Cavalry, having been duly detailed for guard, did fail to repair to the place appointed for guard mount by the commanding officer. This at or near Ringgold Barracks, Texas, on or about the 21st day of March, 1876."

## CHARGE III—"Disobedience of orders."

*Specification*—"In that he, Sergeant *Edward Tool*, Co. G, 8th Cavalry, having applied to his company commander (Captain E. G. Fechet) for permission to be absent from the post, did, after such permission was refused and the order given to him by Captain E. G. Fechet, 8th Cavalry, not to leave the garrison, absent himself therefrom. This at or near Ringgold Barracks, Texas, on or about March 20, 1876."

To which charges and specifications the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Sergeant *Edward Tool*, Co. G, 8th Cavalry, "To be reduced to the grade of a private soldier, and to forfeit to the United States ten (\$10.00) dollars of his monthly pay for three months."

12. Private *Marion W. Berry*, Co. M, 8th Cavalry.

## CHARGE—"Leaving his guard, in violation of the 40th Article of War."

*Specification*—"In that he, Private *Marion W. Berry*, Co. M, 8th Cavalry, having been duly mounted as a member of the stable guard of Co. M, 8th Cavalry, and on duty as such, did, without being regularly relieved and without permission from proper authority, absent himself from said guard from about 3 o'clock A. M., on the 22nd day of March, 1876, until about 7 o'clock A. M., on the 22nd day of March, 1876. This at Ringgold Barracks, Texas, on or about the dates above specified."

To which charge and specification the accused pleaded "Guilty."

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Marion W. Berry*, Co. M, 8th Cavalry, "To forfeit to the United States ten (\$10.00) dollars of his monthly pay for six (6) months, and to be confined at hard labor in the post guard house for the same period."

13. Private *Albert E. Biggers*, Co. A, 24th Infantry.

## CHARGE—"Violation of the 39th Article of War."

*Specification*—"In this, that Private *Albert E. Biggers*, Co. A, 24th Infantry, having been duly mounted as a member of the post guard at Fort McIntosh, Texas, and having been duly posted as a sentinel over the corral and hay yard of quartermaster's department, was found asleep on his post. This at Fort McIntosh, Texas, on the night of January 31, 1876, between the hours of 12, midnight, and 1 o'clock A. M., on the morning of February 1, 1876."

To which charge and specification the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Albert E. Biggers*, Co. A, 24th Infantry, "To be dishonorably discharged the service of the United States with loss of all pay and allowances."

14. Private *Albert Terry*, Co. K, 24th Infantry.

CHARGE I—"Lying, to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *Albert Terry*, Co. K, 24th Infantry, did take one (1) Government blanket belonging to Sergeant Alfort Brown, Co. K, 24th Infantry, from the quarters of Co. K, 24th Infantry, telling the room orderly (Private John Brown) that he (*Terry*) had permission from Sergeant Brown to take said blanket, knowing at the time this to be false. This at Ringgold Barracks, Texas, February 27, 1876."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that he, Private *Albert Terry*, Co. K, 24th Infantry, did take one (1) Government blanket belonging to Sergeant Alfort Brown, Co. K, 24th Infantry, from the quarters of Co. K, 24th Infantry, and dispose of the same, while on detached service, without authority from the owner thereof. This while on detached service to Fort McIntosh, Texas, between the dates of February 27 and March 14, 1876."

*Specification 2nd*—"In this, that he, Private *Albert Terry*, Co. K, 24th Infantry, did feloniously steal one (1) silver watch belonging to Private Squire Williams, Co. K, 24th Infantry, and did dispose of the same to one Joseph Walters, clerk, Rio Grande City, Texas, receiving the sum of five (\$5.00) dollars, more or less, which he (*Terry*) appropriated to his own benefit. This at or near Ringgold Barracks, Texas, on or about the 14th day of March, 1876."

CHARGE III—"Violation of the 38th Article of War."

*Specification*—"In this, that he, Private *Albert Terry*, Co. K, 24th Infantry, did, without permission from proper authority, fail to attend target practice with his company. This at or near Ringgold Barracks, Texas, on or about the 14th day of March, 1876."

To which charges and specifications the accused pleaded:

To the first and second charges and their specifications, "Not Guilty."

To the specification, third charge, "Guilty."

To the third charge, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first and second charges and their specifications, "Guilty."

Of the specification, third charge, "Guilty."

Of the third charge, "Not guilty, but guilty of 'violation of the 33rd Article of War.'"

#### SENTENCE.

And the court does therefore sentence him, Private *Albert Terry*, Co. K, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due and that may become due, and to be confined at hard labor in such military prison as the Department Commander may direct for the period of six (6) months."

VI. In the cases of Privates *James Howard*, Co. A, *William Marlow*, Co. E, and Sergeant *Edward Tool*, Co. G, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed. Sergeant *Tool* will be released from arrest and returned to duty as a private soldier.

In the case of Private *Albert Terry*, Co. K, 24th Infantry, so much of the proceedings and findings as relate to the first and second charges and specifications thereunder, are approved. The proceedings on, and findings to, the

third charge and specification are disapproved. The sentence is approved and will be executed at the post where he is now in confinement.

In the case of Private *Albert E. Biggera*, Co. A, 24th Infantry, the proceedings and findings are approved. Although the General Commanding does not approve, generally, of sentences of dishonorable discharge with forfeiture of pay without further punishment, nevertheless, as it is impossible to reconvene the court for reconsideration, the sentence is approved, in this instance, and will be duly executed.

In the case of Private *Marion W. Berry*, Co. M, 8th Cavalry, the proceedings and findings are approved. The sentence is reduced to read *two months* in place of "six (6) months," and, as mitigated, will be duly executed.

In the case of Private *John Busteed*, Co. G, 8th Cavalry, the proceedings and findings are approved. The sentence is reduced to read *one month* in place of "two months," and, as mitigated, will be duly executed.

VII. Before a General Court Martial which convened at Fort Stockton, Texas, on Thursday, March 16, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, was arraigned and tried.

15. Private *Silas Page*, Co. M, 10th Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that Private *Silas Page*, Co. M, 10th Cavalry, did go to the quarters of Corporal Plato Coates, Co. A, 25th Infantry, (said quarters being at the time occupied by Corporal Coates and his wife, a landress of Co. A, 25th Infantry), and did break open the door of said quarters forcibly and without any cause or provocation whatever. This at Fort Stockton, Texas, about 9 o'clock P. M., (after taps), March 6, 1876."

*Specification 2nd*—"In this, that Private *Silas Page*, Co. M, 10th Cavalry, having been ordered to halt three different times by the sentinel on beat No. 3, (Private Thomas Johnson, Co. M, 10th Cavalry), did not halt but ran off, calling back to the sentinel to 'kiss my rear,' or words to that effect. This at Fort Stockton, Texas, about half past nine o'clock P. M., (after taps), March 6, 1876."

CHARGE II—"Absence without leave."

*Specification*—"In this, that Private *Silas Page*, Co. M, 10th Cavalry, was absent from his quarters, without any permission whatever, after taps and between the hours of half past eight and half past nine o'clock P. M., March 6, 1876. This at Fort Stockton, Texas."

To which charges and specifications the accused pleaded:

To the first charge and its specifications, "Not Guilty."

To the second charge and its specification, "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Silas Page*, Co. M, 10th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such place as the Commanding General may direct for the period of six (6) months."



VIII. In the case of Private *Silas Page*, Co. M, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed. The Post of Fort Stockton, Texas, is designated as the place of confinement.

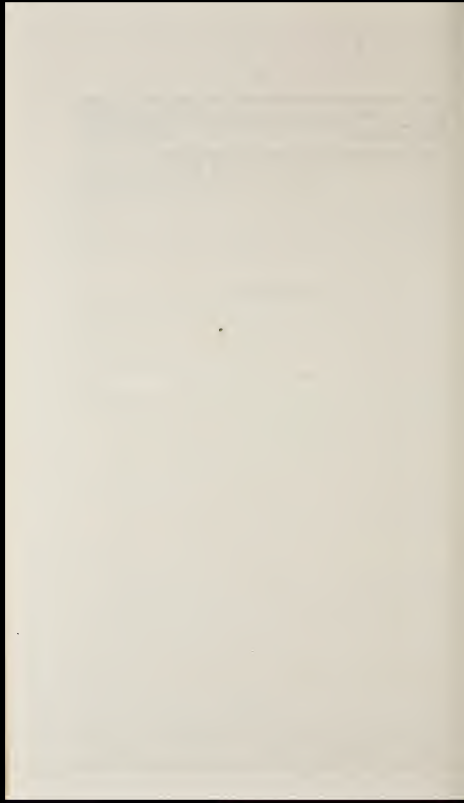
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

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### AT FORT CONCHO, TEXAS.

1. Private William Niles.....Company A, 10th Cavalry.

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### AT FORT DAVIS, TEXAS.

2. Private Charles Jefferson .....Company H, 10th Cavalry.

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### AT RINGGOLD BARRACKS, TEXAS.

3. Private John T. Marshall .....Company M, 8th Cavalry.

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## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, April 3, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 12. }

1. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders Nos. 25 and 51, Headquarters Department of Texas, dated, respectively, February 11 and March 23, 1876, San Antonio, Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and First Lieutenant S. R. COLLADAY, 10th Cavalry, Judge Advocate, was arraigned and tried:

1. Private *William Niles*, Co. A, 10th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"That he, Private *William Niles*, Co. A, 10th Cavalry, having been mounted as a member of the post guard and duly posted as a sentinel on post No. 2, (company and quartermaster's corrals), did, without authority or being properly relieved, quit his post. This at Fort Concho, Texas, between the hours of 10 and 12 o'clock P. M., February 23, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Niles*, Co. A, 10th Cavalry, "To forfeit ten dollars of his monthly pay for eight (8) months, and to be confined at hard labor under guard for the same period at the post where his company may be serving."

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II. In the case of Private *William Niles*, Co. A, 10th Cavalry, the proceedings, findings and sentence are approved. The sentence is mitigated to read *four months* in the place of "eight months," and, as mitigated, will be duly executed.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, October 25, 1875, pursuant to paragraph III, Special Orders No. 193, series of 1875, and paragraph I, Special Orders No. 17, current series, Headquarters Department of Texas, dated, respectively, October 9, 1875, and January 28, 1876, San Antonio, Texas, of which Colonel G. L. ANDREWS, 25th Infantry, is President, and Second Lieutenant HARRY READE, 25th Infantry, Judge Advocate, was arraigned and tried:

2. Private *Charles Jefferson*, Co. H, 10th Cavalry.

CHARGE—"Violation of the 17th Article of War."

Specification—"In this, that Private *Charles Jefferson*, of Co. H, 10th Cavalry, did, through neglect, lose one (1) Schofield, Smith & Wesson revolver, the property of the United States, for which Captain L. H. Carpenter, 10th Cavalry, is responsible, the said revolver having been issued to him, the said Private *Charles Jefferson*. This at or near Fort Quitman, Texas, on or about the 25th day of October, 1875."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Not Guilty."

And the court does therefore acquit him, Private *Charles Jefferson*, Co. H, 10th Cavalry."

IV. In the case of Private *Charles Jefferson*, Co. H, 10th Cavalry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

V. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Wednesday, February 23, 1876, pursuant to paragraph IV, Special Orders No. 26, Headquarters Department of Texas, dated February 12, 1876, San Antonio, Texas, of which Captain S. B. M. YOUNG, 8th Cavalry, is President, and Second Lieutenant HENRY WYGANT, 24th Infantry, Judge Advocate, was arraigned and tried:

3. Private *John F. Marshall*, Co. M, 8th Cavalry.

CHARGE I—"Drunk on guard, in violation of the 38th Article of War."

Specification—"In that he, Private *John F. Marshall*, Co. M, 8th Cavalry, having been duly mounted as a member of the post guard and on duty as such, did become so drunk as to be totally unable to perform his duty. This at Ringgold Barracks, Texas, on or about the 2nd day of March, 1876."

CHARGE II—"Leaving his post, in violation of the 39th Article of War."

Specification—"In that he, Private *John F. Marshall*, Co. M, 8th Cavalry, being a member of the post guard and having been posted at 3 o'clock P. M., on post No. 4, his duty being to patrol the garrison mounted, did, without being regularly relieved and without permission from proper authority, leave said post and proceed to Rio Grande City, a town situated about one-half ( $\frac{1}{2}$ ) mile from the post; and did enter and remain in a liquor saloon until arrested at about 5:30 o'clock P. M. This at Ringgold Barracks, Texas, on or about the 2nd day of March, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *John F. Marshall*, Co. M, 8th Cavalry, "To forfeit to the United States the sum of eight (8) dollars per month for four months, and to be confined in the post guard house for the period of three (3) months."

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VI. In the case of Private *John F. Marshall*, Co. M, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private Francis W. Dumoulin ..... Company G, 10th Infantry.

### AT FORT DAVIS, TEXAS.

2. { Private Charles H. Johnson, *alias* Charles Johnson, Company B,  
24th Infantry, *alias* Chas. H. Jones, *alias* William Jones, Company  
B, 25th Infantry.
3. Private Robert Miller..... Company H, 10th Cavalry.
4. Private Henry Allen ..... Company H, 10th Cavalry.

### AT FORT STOCKTON, TEXAS.

5. Private Richard Jones..... Company A, 25th Infantry.

### AT RINGGOLD BARRACKS, TEXAS.

6. Private C. Long..... Company A, 8th Cavalry.

### AT FORT BROWN, TEXAS.

7. Private Wm. B. McCormack..... Company D, 8th Cavalry.
8. Private Joseph Belt..... Company C, 24th Infantry.
9. Private A. W. Dunlap..... Company C, 8th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *April 1, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 11. }

I. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, March 1, 1876, pursuant to paragraph IV, Special Orders No. 33, Headquarters Department of Texas, dated February 24, 1876, San Antonio, Texas, of which Colonel J. I. GREGG, 8th Cavalry, is President, and First Lieutenant J. T. KIRKMAN, 10th Infantry, Judge Advocate, was arraigned and tried:

1. Private Francis W. Dumoulin, Co. G, 10th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private Francis W. Dumoulin, of G Co., 10th Infantry, U. S. Army, then being on duty as company clerk, and having charge and custody of the company books and records, did, with intent to defraud the United States of the sum of twenty dollars, erase the figure '2' from the entry or record of the money value of clothing in the clothing book of said company, therein set forth as issued to said Dumoulin in January, A. D. 1874, at a valuation of twenty-six dollars and twenty-four cents; and did thereby cause such entry or record to be of the sum of six dollars and twenty-four cents. This at Fort Clark, Texas, on or about the 31st day of December, 1875."

*Specification 2nd*—"In this, that Private *Francis W. Dumoulin*, of G Co., 10th Infantry, U. S. Army, then being on duty as company clerk, did, with intent to defraud the United States of the sum of ten dollars, erase the figure '1' from the entry or record of money valuation of clothing in the clothing book of said company, therein set forth as issued to said *Dumoulin* in October, 1875, at a valuation of nineteen dollars and eighty-eight cents; and did thereby cause such entry or record to be of the sum of nine dollars and eighty-eight cents. This at Fort Clark, Texas, on or about the 31st day of December, 1875."

*Specification 3rd*—"In this, that Private *Francis W. Dumoulin*, of G Co., 10th Infantry, U. S. Army, then being on duty as company clerk, did, with intent to defraud the United States, unlawfully alter an entry or record, dated or made on the 31st day of December, A. D. 1874, of a credit of the sum of four dollars, in the clothing book of said company, in favor of said *Dumoulin*; and did thereby cause said credit to be of the sum of forty dollars. This at Fort Clark, Texas, on or about the 31st day of December, 1875."

*Specification 4th*—"In this, that Private *Francis W. Dumoulin*, of G Co., 10th Infantry, U. S. Army, then being on duty as company clerk, did, with intent to defraud the United States, unlawfully alter a record of a credit of four dollars in favor of said *Dumoulin*, made or dated, in the company clothing book, on the 30th day of June, A. D. 1875; and did thereby cause said credit to be of the sum of forty dollars. This at Fort Clark, Texas, on or about the 31st day of December, 1875."

*Specification 5th*—"In this, that Private *Francis W. Dumoulin*, of G Co., 10th Infantry, U. S. Army, then being on duty as company clerk, and having, during the half year ending December 31, 1875, drawn clothing of the money value of twenty-five dollars and fifty-nine cents, did, with intent to defraud the United States, make an entry, in words and figures, on his account in the company clothing book, setting forth said money value at a less sum of fifteen dollars and fifty-nine cents; and did further, with like intent, make additional entries in said account setting forth a false credit of forty-nine dollars and sixteen cents, in said *Dumoulin's* favor, on settlement of his clothing account with the United States on the 31st day of January, A. D. 1875, there being at said date and on said account a less amount, to-wit: eleven dollars and twenty-three cents, due said *Dumoulin*. This at Fort Clark, Texas, on or about December 31, 1875."

*Specification 6th*—"In this, that Private *Francis W. Dumoulin*, of G Co., 10th Infantry, U. S. Army, then being on duty as company clerk, and having charge and custody of the company clothing book, did, with intent to defraud the United States, falsify his (the said *Dumoulin's*) account with the United States in said book. This at Fort Clark, Texas, on or about the 31st day of December, 1875."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Francis W. Dumoulin*, Co. G, 10th Infantry, "To forfeit all pay and allowances now due or that



may become due him; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the reviewing authority may designate for three (3) years."

II. In the case of Private *Francis W. Dumoulin*, Co. G, 10th Infantry, the prisoner is charged in the first, second, third and fourth specifications with making certain fraudulent erasures and alterations in the company clothing book; and in the fifth specification with making certain fraudulent entries therein, which, on examination, prove to be the reiteration of the erasures and alterations mentioned in the second and fourth specifications. These alterations, &c., are in that part of the accused's own account which extends through the years 1874 and 1875, but are all specified as having been made on or about the 31st day of December, 1875.

In the proceedings there is nothing on record to show that the offenses alleged in the first four specifications were committed on or about December 31, 1875. There is no proof, indeed, that the clothing book was ever made out properly before being altered, as alleged in the specifications, or that the figures and entries therein alleged to be altered were ever correctly entered, as it is not testified that, upon the completion in the book of the semi-annual settlements of 1874 and the first one of 1875, the books were examined and then found correct. The principal, and only material witness, the company commander, in fact, distinctly testifies, in answer to a question of the accused, that he did not verify the settlements of June 30 and December 31, 1875, until after the prisoner had been relieved as company clerk, which appears to have taken place in January for some cause not stated, he, the prisoner, not being then suspected of what he is charged with. In all the testimony the only direct evidence tending to show the prisoner's connection with the alleged fraudulent erasures and alterations, is, that in that part of the clothing book devoted to the computation and settlement of the prisoner's account for the six months ending December 31, 1875, the amounts as alleged to have been fraudulently altered in the second and fourth specifications, which are repeated and used as if they were correct, are entered in the hand writing of the prisoner. This adoption by the prisoner of previous errors on the face of the book which are not proved to have been made by him, even when coupled with the presumption arising from the fact that they were all in his favor, is scarcely sufficient, considering all the circumstances, and without further corroborative evidence, to establish with the conclusiveness demanded in criminal jurisprudence, either the fraudulent making of the errors by the prisoner or his guilty knowledge in entering them as correct.

The proceedings are approved. The findings and sentence are disapproved. Private *Dumoulin* will be released from confinement and returned to duty.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Wednesday, March 22, 1875, pursuant to paragraphs II and III, Special Orders No. 193, and paragraph VI, Special Orders No. 202, Headquarters Department of Texas, series of 1875, and paragraph I, Special Orders No. 17, current series, Headquarters Department of Texas, of which Colonel G. L. ANDREWS, 25th Infantry, is President, and Second Lieutenant HARRY READE, 25th Infantry, Judge Advocate, were arraigned and tried:

2. { Private *Charles H. Johnson*, alias Charles Johnson, Co. B, 24th Infantry, alias Charles H. Jones, alias William Jones, Co. B, 25th Infantry.

## CHARGE 1—"Desertion."

*Specification*—"In this, that he, Private *Charles H. Johnson*, *alias* Charles Johnson, Co. B, 24th Infantry, *alias* Charles H. Jones, *alias* William Jones, Co. B, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about April 6, 1873, while on escort duty under command of Captain Morgan, 24th Infantry, at or near Fort Duncan, Texas; and did so remain absent until he surrendered himself as a deserter to Captain Charles Bentzoni, 25th Infantry, at Fort Quitman, Texas, on or about August 9, 1875."

## CHARGE 2—"Violation of the 50th Article of War."

*Specification*—"In this, that he, Private *Charles H. Johnson*, *alias* Charles Johnson, Co. B, 24th Infantry, *alias* Charles H. Jones, *alias* William Jones, Co. B, 25th Infantry, not having a regular discharge from the regiment or company in which he last served, did, on the 19th of April, 1875, at Newport Barracks, Ky., enlist himself again in the service of the United States, as a soldier, under the name of William Jones."

To which charges and specifications the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Charles H. Johnson*, *alias* Charles Johnson, Co. B, 24th Infantry, *alias* Charles H. Jones, *alias* William Jones, Co. B, 25th Infantry, "To be dishonorably discharged from the service of the United States, with the loss of all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined at hard labor in such military prison as the Commanding General may direct for the period of three (3) years."

The court is thus lenient in consideration of the length of time the accused has already been held in confinement.

3. Private *Robert Miller*, Co. H, 10th Cavalry.

## CHARGE—"Violation of the 39th Article of War."

*Specification*—"In this, that he, Private *Robert Miller*, Co. H, 10th Cavalry, a member of the post guard, and being regularly posted as a sentinel on post No. 4, in the quartermaster's corral, was found asleep on said post by the corporal of the guard. This at Fort Davis, Texas, between the hours of 1 o'clock and 3 o'clock A. M., on the 31st day of December, 1875."

To which charge and specification the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Robert Miller*, Co. H, 10th Cavalry, "To be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit to the United States ten (10) dollars per month of his pay for the same period."

4. Private *Henry Allen*, Co. H, 10th Cavalry.

## CHARGE—"Desertion."

*Specification*—"In this, that Private *Henry Allen*, of Co. H, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 7th day of February, 1876, at Fort Davis,

Texas; and did remain absent from his post and company until pursued and overtaken near Fort Davis, Texas, on or about the 7th day of February, 1876, and brought back under guard to said post. This at or near the places and on or about the dates above specified."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'desert said service,' substituting therefor the words 'absent himself without authority,' and of the excepted words, not guilty."

Of the charge, "Not guilty, but guilty of 'absence without leave.'"

#### SENTENCE.

And the court does therefore sentence him, Private *Henry Allen*, Co. H, 10th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for six (6) months, and to be confined at hard labor in charge of the post guard for the same period."

IV. The proceedings, findings and sentences in the cases of Privates *Charles H. Johnson*, alias Charles Johnson, Co. B, 24th Infantry, alias *Charles H. Jones*, alias William Jones, Co. B, 25th Infantry, *Robert Miller* and *Henry Allen*, Co. H, 10th Cavalry, are approved, and the sentences will be duly executed.

In the case of Private *Johnson* the military prison at Fort Leavenworth, Kansas, is designated as the place of confinement. The prisoner will, however, be kept at the post until further orders.

V. Before a General Court Martial which convened at Fort Stockton, Texas, on Thursday, March 16, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. French, 25th Infantry, is President, and First Lieutenant Andrew Geddes, 25th Infantry, Judge Advocate, was arraigned and tried.

5. Private *Richard Jones*, Co. A, 25th Infantry.

CHARGE—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Richard Jones*, Co. A, 25th Infantry, did, without just cause or provocation, assault, and endeavor to kill, Private John Taylor, of Co. M, 10th Cavalry, by stabbing or cutting him with a knife, or some other sharp instrument, thereby inflicting in and upon the person of the said Private John Taylor a serious wound or wounds. This at or near Fort Stockton, Texas, on or about the 22nd day of February, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'with intent to kill,' and of the excepted words not guilty."

Of the charge "Guilty, except the words 'with intent to kill,' and of the excepted words not guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Richard Jones*, Co. A, 25th Infantry, "To forfeit to the United States ten (\$10) dollars of his

monthly pay for the period of six (6) months, and to be confined at hard labor at such place as his company may be serving for the same period."

VI. In the case of Private *Richard Jones*, Co. A, 25th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

VII. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, March 16, 1876, pursuant to paragraph IV, Special Orders No. 25, and paragraph I, Special Orders No. 41, current series, Headquarters Department of Texas, dated, respectively, February 12 and March 8, 1876, San Antonio, Texas, of which Captain S. B. M. YOUNG, 8th Cavalry, is President, and Second Lieutenant HENRY WYANT, 24th Infantry, Judge Advocate, was arraigned and tried:

6. Private *Charles Long*, Co. A, 8th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In that Private *Charles Long*, Co. A, 8th Cavalry, being told by Sergeant Desten Nessen, Co. A, 8th Cavalry, not to delay any longer in saddling up his (*Long's*) horse, did make use of disrespectful and disgustingly obscene language to said Sergeant Desten Nessen, Co. A, 8th Cavalry, said Sergeant Nessen being at the time in the execution of his duty. This at Fort Bayard, N. M., on or about November 23, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles Long*, Co. A, 8th Cavalry, "To forfeit to the United States the sum of ten (10) dollars per month of his monthly pay for three (3) months."

The court is thus lenient on account of the long period of confinement already undergone by the prisoner.

VIII. In the case of Private *Charles Long*, Co. A, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

(*Orders have already been issued for his release from confinement*).

IX. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, March 16, 1876, pursuant to paragraph IV, Special Orders No. 25, and paragraph IV, Special Orders No. 35, current series, Headquarters Department of Texas, dated, respectively, February 11 and 28, 1876, San Antonio, Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and First Lieutenant H. W. SPROLE, 8th Cavalry, Judge Advocate, were arraigned and tried:

7. Private *William B. McCormack*, Co. D, 8th Cavalry.

CHARGE—"Neglect of duty, in violation of the 62nd Article of War."

Specification 1st—"That Private *William B. McCormack*, Co. D, 8th U. S.

Cavalry, having been regularly mounted as a member of the post guard and posted as a sentinel over certain prisoners at work, did permit Private W. Curley, Co. D, 8th Cavalry, a prisoner confined in the post guard house awaiting sentence by General Court Martial for the alleged crime of desertion, to escape. This at Fort Brown, Texas, January 22, 1876."

*Specification 2nd*—"That Private *William B. McCormack*, Co. D, 8th Cavalry, having been placed as a sentinel in charge of prisoners, and having allowed one to escape, did fail to alarm the guard or to report the escape of said prisoner. This at Fort Brown, Texas, January 22, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications, "Not Guilty."

And the court does therefore acquit him, Private *William B. McCormack*, Co. D, 8th Cavalry.

8. Private *Joseph Belt*, Co. C, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

*Specification 1st*—"In this, that he, Private *Joseph Belt*, Co. C, 24th Infantry, having been ordered on fatigue duty by the Acting First Sergeant of the company, Sergeant Samuel Derrick, (said sergeant being in the execution of his office), did refuse and fail to obey said order. This at or near Fort Brown, Texas, on the 4th day of February, 1876."

*Specification 2nd*—"In this, that he, Private *Joseph Belt*, Co. C, 24th Infantry, having been ordered to the guard house by Sergeant Samuel Derrick, (said sergeant being in the execution of his office as Acting First Sergeant), did refuse and fail to obey said order until compelled to by a file of the main guard. This at or near Fort Brown, Texas, on the 4th day of February, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Joseph Belt*, Co. C, 24th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for three (3) months, and to be confined in charge of the guard for the same period."

9. Private *A. W. Dunlap*, Co. C, 8th Cavalry.

CHARGE—"Neglect of duty, in violation of the 62nd Article of War."

*Specification*—"That Private *A. W. Dunlap*, Co. C, 8th U. S. Cavalry, having been regularly mounted as a member of the post guard and posted as a sentinel over certain prisoners at work, did permit Private *William Curley*, Co. D, 8th U. S. Cavalry, a prisoner confined in the post guard house awaiting sentence by General Court Martial for the alleged crime of desertion, to escape. This at Fort Brown, Texas, January 22, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *A. W. Dunlap*, Co. C, 8th Cavalry, "To forfeit to the United States ten (10) dollars per month

of his pay for the period of six (6) months, and to be confined at hard labor in charge of the guard at the post where his company may be serving for the same period."

X. In the case of Private *William B. McCormack*, Co. D, 8th Cavalry, the proceedings, findings and acquittal are approved.

*(Orders have already been issued for his release from confinement).*

In the case of Private *Joseph Belt*, Co. C, 24th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of *A. W. Dunlap*, private Co. C, 8th Cavalry, one of the main facts in the case that a prisoner named Curley did escape is not proved properly in the evidence for the prosecution. This is only to be inferred from answers to questions put by the Judge Advocate to the sole witness for the prosecution, which questions assume that a prisoner named Curley did escape. Pregnant questions, or questions which assume an allegation contained in a specification, are not legal. The evidence for the prosecution is very unsatisfactory, so unsatisfactory indeed that if the Judge Advocate had exhausted all accessible proof he should have made a record of the fact for the benefit of the reviewing authority. The escape of the prisoner Curley is, however, sufficiently substantiated by testimony of witnesses for defence contained in answers to questions put by the court.

Subject to these remarks, the proceedings, findings and sentence are approved, but in view of the unanimous recommendation to mercy of the members of the court on account of the youth and inexperience of the prisoner, and the short time he has been in service, the sentence is remitted. He will be released from confinement and returned to duty.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT DAVIS, TEXAS.

1. Private Greenfer Shanklin ..... Company H, 10th Cavalry.

### AT FORT GRIFFIN, TEXAS.

2. Private Frank L. Spofford.....Company A, 11th Infantry.

### AT SAN ANTONIO, TEXAS.

3. Private Edward Brown.....Company D, 10th Infantry.
4. Private John Robinson .....Company D, 10th Infantry.
5. Private Rudolph Rupp.....Company D, 10th Infantry.

### AT FORT BROWN, TEXAS.

6. Private George Dougherty..... Company I, 8th Cavalry.
7. Private William Jackson.....Company I, 8th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *March 23, 1876.*

### GENERAL COURT MARTIAL } ORDERS NO. 10.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, October 25, 1875, pursuant to paragraph III, Special Orders No. 193, Headquarters Department of Texas, dated October 9, 1875, San Antonio, Texas, of which Colonel G. L. ANDREWS, 25th Infantry, is President, and Second Lieutenant HARRY READE, 25th Infantry, Judge Advocate, was arraigned and tried:

I. Private *Greenfer Shanklin*, Co. H, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that Private *Greenfer Shanklin*, of Co. H, 10th Cavalry, having been absent from water call and stables of his company on the afternoon of the 8th of December, 1875, did positively refuse to go to the guard house when ordered there by Sergeant Campbell, Co. H, 10th Cavalry, who was carrying out the instructions of his company commander, and did seize his (*Shanklin's*) carbine and throw a cartridge into the chamber and threaten to shoot the said Sergeant Campbell, or any one who should attempt to take him to the guard house. This at Fort Davis, Texas, on or about the 8th day of December, 1875."

*Specification 2nd*—"In this, that Private *Greenfer Shanklin*, Co. H, 10th Cavalry, did, without just cause or provocation, attempt to strike First Sergeant George Garnett, of Co. H, 10th Cavalry, with a carbine, breaking said carbine in the act so as to render it utterly unserviceable. This at Fort Davis, Texas, on or about the 8th day of December, 1875."

To which charge and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Greenfer Shanklin*, Co. H, 10th Cavalry, "To be dishonorably discharged from the service of the United States, with the loss of all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined at hard labor at such military prison as the Commanding General may direct for the period of two (2) years."

II. In the case of Private *Greenfer Shanklin*, Co. H, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the commanding officer with a copy of this order.

III. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, February 21, 1876, pursuant to paragraph I, Special Orders No. 27, Headquarters Department of Texas, dated February 14, 1876, San Antonio, Texas, of which Captain THEODORE SCHWAN, 11th Infantry, is President, and Second Lieutenant C. H. GORRINGE, 11th Infantry, Judge Advocate, was arraigned and tried:

2. Private *Frank L. Spofford*, Co. A, 11th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Frank L. Spofford*, Co. A, 11th Infantry, did, while a duly posted sentinel, neglect his duty by sitting down on post, in violation of orders and regulations. This at Fort Griffin, Texas, on or about January 17, 1876."

Specification 2nd—"In this, that he, Private *Frank L. Spofford*, Co. A, 11th Infantry, while a sentinel on post, did, by neglecting his duty and sitting down on post, and through criminal carelessness, discharge his musket, loaded with ball cartridge, thereby inflicting a mortal wound on the body of James M. Sanders, (citizen), whereof he, the said Sanders, died. This at Fort Griffin, Texas, on or about January 17, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,

"Guilty."

Of the second specification,

"Not Guilty."

Of the charge,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Frank L. Spofford*, Co. A, 11th Infantry, "To be confined at hard labor under charge of the guard for one month, and to forfeit to the United States twelve dollars (\$12) of his monthly pay for the same period."

IV. In the case of Private *Frank L. Spofford*, Co. A, 11th Infantry, the Judge Advocate has not adduced evidence to prove the facts in the second specification which the proceedings would seem to show was within reach, nor has he caused to be placed on record any reason for the omission.

Subject to the above remarks, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

V. Before a General Court Martial which convened at San Antonio, Texas, on Friday, March 17, 1876, pursuant to paragraph II, Special Or-



ders No. 46, Headquarters Department of Texas, dated March 16, 1876, San Antonio, Texas, of which Surgeon Joun Moore, Medical Department, is President, and Assistant Surgeon R. H. Wuite, U. S. Army, Judge Advocate, were arraigned and tried:

3. Private *Edward Brown*, Co. D, 10th Infantry.

CHARGE I—"Violation of the 33rd Article of War."

Specification—"In this, that Private *Edward Brown*, Co. D, 10th Infantry, having been regularly detailed for guard, did fail to appear at guard mounting of his company on the morning of the 28th of February, 1876. This at the Post of San Antonio, Texas, on or about the 28th day of February, 1876."

CHARGE II—"Violation of the 32nd Article of War."

Specification—"In this, that Private *Edward Brown*, Co. D, 10th Infantry, did, without permission from proper authority, absent himself from his company and post from the 28th of February, 1876, until about 11:30 P. M. of the 29th February, 1876. This at the Post of San Antonio, Texas, on or about the dates and hour specified."

CHARGE III—"Violation of the 17th Article of War."

Specification—"In this, that Private *Edward Brown*, Co. D, 10th Infantry, did sell, or otherwise dispose of, one (1) pair of new trousers, made, one (1) pair of new trousers, unmade, one (1) pair of new boots, one (1) pair of new shoes, which were issued to him by the U. S. Government for his own use. This at or near the Post of San Antonio, on or about February 28, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Edward Brown*, Co. D, 10th Infantry, "To forfeit to the United States ten dollars of his monthly pay for two months, and to be confined at hard labor in charge of the guard for the same period."

4. Private *John Robinson*, Co. D, 10th Infantry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *John Robinson*, Co. D, 10th Infantry, having been regularly mounted as a member of the guard on the 8th of September, 1875, at the Post of San Antonio, Texas, and having been regularly posted as a sentinel, did become so much intoxicated as to be unfit to perform his duties as such. All this at or near the Post of San Antonio, Texas, on or about the 8th of September, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Robinson*, Co. D, 10th Infantry, "To forfeit to the United States ten dollars of his monthly pay for four months, and to be confined at hard labor in charge of the guard for the same period."

5. Private *Rudolph Rupp*, Co. D, 10th Infantry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that Private *Rudolph Rupp*, Co. D, 10th Infantry, having been duly posted as a sentinel at the Alamo corral, did become drunk. This at or near the Post of San Antonio, Texas, on or about the 5th of March, 1876."

CHARGE II—"Violation of the 30th Article of War."

*Specification*—"In this, that Private *Rudolph Rupp*, Co. D, 10th Infantry, having been duly posted as a sentinel at the Alamo corral, was found asleep on his post. This at or near the Post of San Antonio, Texas, on or about the 5th day of March, 1876."

To which charges and specifications the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Rudolph Rupp*, Co. D, 10th Infantry, "To forfeit to the United States ten dollars of his monthly pay for eight months, and to be confined at hard labor in charge of the guard for the same period."

VI. In the case of Private *Edward Brown*, Co. D, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *John Robinson*, Co. D, 10th Infantry, the proceedings, findings and sentence are approved. In compliance with the unanimous recommendation to that effect, on account of previous good conduct and meritorious services, and the length of time he has already been confined, the sentence is remitted. He will be released from confinement and returned to duty.

In the case of Private *Rudolph Rupp*, Co. D, 10th Infantry, the proceedings, findings and sentence are approved. The sentence is reduced to read *five months* in place of "eight months," and, as mitigated, will be duly executed.

VII. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, February 21, 1876, pursuant to paragraph IV, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and First Lieutenant H. W. SPROLE, 8th Cavalry, Judge Advocate, were arraigned and tried:

6. Private *George Dougherty*, Co. I, 8th Cavalry.

CHARGE—"Desertion."

*Specification*—"In that he, *George Dougherty*, private I Co., 8th Cavalry, being a duly enlisted soldier in the service of the United States, did desert the same on or about the 22nd day of December, 1875, and did remain absent until he surrendered himself on or about the 29th day of December, 1875. This at Fort Brown, Texas, on or about the dates above specified."

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'desert,' and substituting in place thereof the words 'absent himself, without authority, from,' and of the excepted word, not guilty."

Of the charge, "Not guilty of desertion but guilty of 'absence without leave.'"

SENTENCE.

And the court does therefore sentence him, Private *George Dougherty*, Co. I, 8th Cavalry, "To forfeit to the United States ten dollars (\$10) of his pay for one (1) month."

The court is thus lenient on account of the confinement the prisoner has already suffered.

7. Private *William Jackson*, Co. I, 8th Cavalry.

CHARGE I—"Violation of the 33rd Article of War."

Specification—"In that Private *William Jackson*, I Co., 8th Cavalry, having been properly detailed as a member of the post guard to mount December 25, 1875, did fail to appear, at the time and place fixed, for said guard mounting. This at or near Fort Brown, Texas, on or about the date above specified."

CHARGE II—"Desertion."

Specification—"In that he, *William Jackson*, private I Co., 8th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on or about December 25, 1875; and did remain absent until he surrendered himself on or about December 30, 1875. This at Fort Brown, Texas, on or about the dates above specified."

To which charges and specifications the accused pleaded:

To the first charge and specification, "Guilty."

To the second charge and specification, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and specification, "Guilty."

Of the specification, second charge, "Guilty, except the word 'desert,' and substituting in place thereof the words 'absent himself, without proper authority, from,' and of the excepted word, not guilty."

Of the second charge, "Not guilty of desertion but guilty of 'absence without leave.'"

#### SENTENCE.

And the court does therefore sentence him, Private *William Jackson*, Co. I, 8th Cavalry, "To be confined in charge of the guard for one (1) month, and to forfeit to the United States ten dollars (\$10) of his pay for two (2) months."

The court is thus lenient on account of the confinement he has already suffered.

VIII. In the case of Private *George Dougherty*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

(Orders have already been issued for his release from confinement).

In the case of Private *William Jackson*, Co. I, 8th Cavalry, the proceedings, findings and sentence are approved. The sentence is mitigated to read "To forfeit ten (\$10) dollars of his pay for one (1) month," and, as mitigated, will be duly executed. He will be released from confinement and returned to duty.

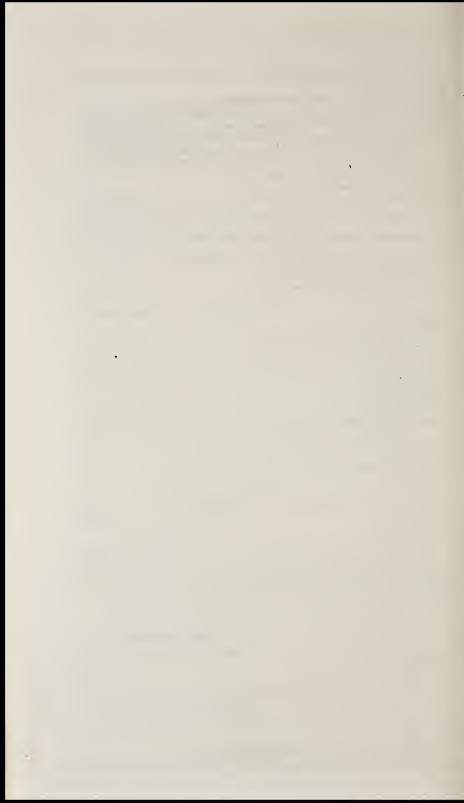
BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Patrick McGuire ..... Company H, 8th Cavalry.
2. Corporal George Robinson..... Company H, 8th Cavalry.

### AT FORT GRIFFIN, TEXAS.

3. Private John Kelley..... Company G, 11th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *March 16, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 9. }

1. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, February 21, 1876, pursuant to paragraph IV, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and First Lieutenant H. W. SPROLE, 8th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *Patrick McGuire*, Co. H, 8th Cavalry.

CHARGE I—"Disobedience of orders, in violation of the 21st Article of War."

*Specification*—"In that Private *Patrick McGuire*, Co. H, 8th Cavalry, having been ordered by his superior officer, First Lieutenant H. J. Farnsworth, 8th Cavalry, in the execution of his office as company commander, to proceed at once to his company quarters, did not obey said order, and did remain absent eight, or more, hours thereafter. This at or near Fort Brown, Texas, on or about the 9th day of January, 1876."

CHARGE II—"Violation of the 33rd Article of War."

*Specification 1st*—"In that Private *Patrick McGuire*, Co. H, 8th Cavalry, did fail to repair, at the time fixed, to the place appointed for reveille roll call of his company. This at Fort Brown, Texas, on or about the 9th day of January, 1876."

*Specification 2nd*—"In that Private *Patrick McGuire*, Co. H, 8th Cavalry, did fail to repair, at the time fixed, to the place appointed for morning stable duty of his company. This at Fort Brown, Texas, on or about the 9th day of January, 1876."

*Specification 3rd*—"In that Private *Patrick McGuire*, Co. H, 8th Cavalry, did fail to repair, at the time fixed, to the place designated by proper authority for the Sunday morning inspection of his company. This at Fort Brown, Texas, on or about the 9th day of January, 1876."

*Specification 4th*—"In that Private *Patrick McGuire*, Co. H, 8th Cavalry, did fail to repair, at the time fixed, to the place appointed for afternoon water and stable duty of his company. This at Fort Brown, Texas, on the 9th day of January, 1876."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

*Specification*—"In that Private *Patrick McGuire*, Co. II, 8th Cavalry, having received a pass from his company commander, approved by order of the post commander, which pass expired at guard mount, did fail to surrender the same to the officer of the guard, as required by existing orders from Headquarters Fort Brown, Texas. This at Fort Brown, Texas, on or about the 9th day of January, 1876."

To which charges and specifications the accused pleaded:

To the first and third charges and their specifications, "Not Guilty."

To the second charge and its specifications, "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first and second charges and their specifications, "Guilty."

Of the third charge and its specification, "Not Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Patrick McGuire*, Co. II, 8th Cavalry, "To forfeit to the United States ten (\$10) dollars of his monthly pay for two (2) months."

The court is thus lenient on account of the prisoner's previous good character, and the confinement already suffered.

2. Corporal *George Robinson*, Co. II, 8th Cavalry.

CHARGE I—"Absence without leave, in violation of the 32nd Article of War."

*Specification*—"In this, that he, Corporal *George Robinson*, Co. II, 8th Cavalry, did, without authority, absent himself from his company and post, and did visit the city of Brownsville, Texas, where he was arrested about the hour of 10:15 o'clock P. M., on or about January 9, 1876. This at or near Fort Brown, Texas, on the date mentioned."

CHARGE II—"Disobedience of orders."

*Specification*—"In this, that he, Corporal *George Robinson*, Co. II, 8th Cavalry, having been arrested and ordered by his superior officer, First Lieutenant A. G. Hennisee, officer of the guard in the execution of his duty, to fall in with a patrol which had been sent from Fort Brown, Texas, to arrest soldiers absent from the post without authority, did fail to obey said order, and did escape from the custody of the said Lieutenant Hennisee. This at Brownsville, Texas, on or about the night of January 9, 1876."

ADDITIONAL CHARGE I—"Conduct prejudicial to good order and military discipline, in violation of the 62nd Article of War."

*Specification 1st*—"In this, that *George Robinson*, Corporal Co. II, 8th Cavalry, being in arrest, did break said arrest, and did, without authority, appear in the town of Brownsville, Texas. This at or near Fort Brown, Texas, on or about the 19th day of January, 1876."

*Specification 2nd*—"In this, that *George Robinson*, Corporal Co. II, 8th Cavalry, did break away and escape from a patrol of the post guard, after being arrested by the same. This in the town of Brownsville, Texas, on the 19th day of January, 1876."

ADDITIONAL CHARGE II—"Violation of the 21st Article of War."

*Specification*—"In this, that *George Robinson*, Corporal Co. II, 8th Cavalry, did offer resistance to the officer commanding the post guard, Second Lieutenant J. W. Wilkinson, 8th Cavalry, and a patrol under his orders, when arrested by the same in the town of Brownsville, Texas, near Fort Brown, Texas, on the 19th day of January, 1876."

To which charges and specifications the accused pleaded:

To the first charge and specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."
To the first additional charge and its specifications,	"Guilty."
To the second additional charge and its specification,	"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,	"Guilty."
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#### SENTENCE.

And the court does therefore sentence him, Corporal *George Robinson*, Co. H, 8th Cavalry, "To be reduced to the grade of a private soldier; to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due, and to be confined at hard labor at such military post as the Department Commander may designate for one (1) year."

II. In the case of Private *Patrick McGuire*, Co. H, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

*(Orders have already been issued for his release from confinement).*

In the case of Corporal *George Robinson*, Co. H, 8th Cavalry, the proceedings, findings and sentence are approved. The period of confinement is reduced to six (6) months. As mitigated, the sentence will be duly executed. The post of Fort Brown, Texas, is designated as the place of confinement.

III. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, February 21, 1876, pursuant to paragraph 1, Special Orders No. 27, Headquarters Department of Texas, dated February 14, 1876, San Antonio, Texas, of which Captain THEODORE SCHWAN, 11th Infantry, is President, and Second Lieutenant C. H. GORRINGE, 11th Infantry, Judge Advocate, was arraigned and tried:

3. Private *John Kelley*, Co. G, 11th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that he, Private *John Kelley*, Co. G, 11th Infantry, did become so much under the influence of intoxicating liquor as to be unable to perform any duty of a soldier. This at Fort Griffin, Texas, on the 26th day of December, 1875."

*Specification 2d*—"In this, that he, Private *John Kelley*, Co. G, 11th Infantry, did, while in a disgraceful state of intoxication, visit the quarters of his company commander. This at Fort Griffin, Texas, on the 26th day of December, 1875."

*Specification 3d*—"In this, that he, Private *John Kelley*, Co. G, 11th Infantry, on being ordered by the First Sergeant of his company to accompany him to the guard house (said First Sergeant being in the lawful execution of his office) did absolutely refuse to obey said order. This at Fort Griffin, Texas, on the 26th day of December, 1875."

*Specification 4th*—"In this, that he, Private *John Kelley*, Co. G, 11th Infantry, upon being ordered by the First Sergeant of his company to accompany him to the guard house (he, the said First Sergeant being in the lawful execution of his office) did call him a son of a bitch, a bastard, and other opprobrious names. This at Fort Griffin, Texas, on the 26th day of December, 1875."

*Specification 5th*—In this, that he, Private *John Kelley*, Co. G, 11th Infantry, did threaten the First Sergeant of his company (he, the said First Sergeant being in the lawful execution of his office) with bodily violence, and did attempt to enforce said threats. This at Fort Griffin, Texas, on the 26th day of December, 1875."

To which charge and specifications the accused pleaded:

To the first specification,

"Guilty."

To the remaining specifications,

"Not Guilty."

To the charge,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first, third and fourth specifications,

"Guilty."

Of the second and fifth specifications,

"Not Guilty."

Of the charge,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Kelley*, Co. G, 11th Infantry, "To be confined at hard labor under charge of the guard for the period of one (1) month, and to forfeit to the United States twelve (\$12) dollars of his monthly pay for one month."

IV. In the case of Private *John Kelley*, Co. G, 11th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT GRIFFIN, TEXAS.

1. Private William Tutt.....Company B, 10th Cavalry.
2. Private Antony Davis.....Company E, 10th Cavalry.

### HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *March 10, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 8. }

1. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, February 21, 1876, pursuant to paragraph I, Special Orders No. 27, Headquarters Department of Texas, dated February 14, 1876, San Antonio, Texas, of which Captain THEODORE SCHWAN, 11th Infantry, is President, and Second Lieutenant C. H. GORRINGE, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *William Tutt*, Co. B, 10th Cavalry.

CHARGE—"Violation of the 39th Article of War."

Specification—"In this, that he, Private *William Tutt*, Co. B, 10th Cavalry, having been duly mounted as a member of the post guard, and having been duly posted as a sentinel at the hay stacks, was found asleep on post. This at Fort Griffin, Texas, on or about the 7th day of January, 1876."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Not Guilty."

And the court does therefore acquit him, Private *William Tutt*, Co. B, 10th Cavalry.

2. Private *Antony Davis*, Co. E, 10th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In that he, Private *Antony Davis*, Co. E, 10th Cavalry, did engage in a game of cards with Private *Tutt*, of Co. B, 10th Cavalry, for his (Davis's) overcoat and boots, which the said *Tutt* won. This at Fort Griffin, Texas, on or about January 3, 1876."

Specification 2nd—"In that he, Private *Antony Davis*, Co. E, 10th Cavalry, having lost, at cards, his overcoat and boots, (issued him by his company commander) to Private *Tutt*, Co. B, 10th Cavalry, did go to the room of said *Tutt* and endeavor to get back the boots and coat by using force. This at Fort Griffin, Texas, on or about January 3, 1876."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification, "Guilty, except the words 'issued him by his company commander,' of the excepted words not guilty."	
Of the charge,	"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Antony Davis*, Co. E, 10th Cavalry, "To forfeit to the United States seven (\$7) dollars of his monthly pay for one month."

The court is thus lenient owing to the fact that the prisoner has been confined nearly two (2) months.

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II. In the case of Private *William Tutt*, Co. B, 10th Cavalry, the proceedings, findings and acquittal are approved.

In the case of Private *Antony Davis*, Co. E, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

*(Orders have already been issued for their release from confinement.)*

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private James East ..... Company D, 8th Cavalry.
2. Private Frank Goewey ..... Company H, 8th Cavalry.
3. Sergeant Charles W. Jones ..... Company H, 8th Cavalry.

### AT FORT CLARK, TEXAS.

4. Private Albert Crawford ..... Company M, 4th Cavalry.

### AT RINGGOLD BARRACKS, TEXAS.

5. Private Samuel Williams ..... Company I, 24th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *March 6, 1876.*

### GENERAL COURT MARTIAL } ORDERS No. 7. }

1. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, February 21, 1876, pursuant to paragraph IV, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and First Lieutenant H. W. SPROLE, 8th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *James East*, Co. D, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In this, that he, Private *James East*, Co. D, 8th Cavalry, being regularly detailed, and mounted as a member of the post guard, and having been regularly posted as sentinel over the horses of his company, did lie down, and was found sleeping on said post. This at Fort Brown, Texas, between the hours of 10 and 11 o'clock P. M., on the 23rd day of January, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *James East*, Co. D, 8th Cavalry, "To be confined at hard labor in charge of the guard for the period of three (3) months, and to forfeit to the United States his monthly pay for the same period."

2. Private *Frank Goewey*, Co. H, 8th Cavalry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In this, that he, Private *Frank Goewey*, Co. H, 8th Cavalry, having been duly posted as a sentinel on post No. 4, Fort Brown, Texas, did lie down and go to sleep, and was so found by the corporal of the guard at 9 o'clock on the evening of January 1st, 1876."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification. "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Goewey*, Co. H, 8th Cavalry, "To forfeit to the United States ten (\$10) dollars of his pay for three (3) months."

The court is thus lenient on account of the youth and inexperience of the prisoner and length of confinement already suffered.

3. Sergeant *Charles W. Jones*, Co. H, 8th Cavalry.

CHARGE I—"Absence without leave, in violation of the 32nd Article of War."

Specification—"In this, that he, Sergeant *Charles W. Jones*, Co. H, 8th Cavalry, did, without authority, absent himself from his company and post, and did visit the city of Brownsville, Texas, when he was arrested about the hour of 10:15 o'clock P. M., on or about January 9, 1876. This at or near Fort Brown, Texas, on the date mentioned."

CHARGE II—"Disobedience of orders."

Specification—"In this, that he, Sergeant *Charles W. Jones*, Co. H, 8th Cavalry, having been arrested and ordered, by his superior officer, First Lieutenant A. G. Hennisee, 8th Cavalry, officer of the guard, in the execution of his duty, to fall in with a patrol, which had been sent from Fort Brown, Texas, to arrest soldiers absent from the post without authority, did fail to obey said order, and did escape from the custody of the said Lieutenant Hennisee. This at Brownsville, Texas, on or about the night of January 9, 1876."

To which charges and specifications the accused pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and specification, "Not Guilty."

Of the second charge and specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Charles W. Jones*, Co. H, 8th Cavalry, "To forfeit to the United States his pay for four (4) months."

II. In the cases of Privates *James East*, Co. D, and *Frank Goewey*, and Sergeant *Charles W. Jones*, Co. H, 8th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

Sergeant *Jones* will be released from arrest and returned to duty.

(Orders have already been issued for the release from confinement of Private *Goewey*.)

III. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, March 1, 1876, pursuant to paragraph IV, Special Orders No. 33, Headquarters Department of Texas, dated February 24, 1876, San Antonio, Texas, of which Colonel J. I. GREGG, 8th Cavalry, is President, and First Lieutenant J. T. KIRKMAN, 10th Infantry, Judge Advocate, was arraigned and tried:

1. Private *Albert Crawford*, Co. M, 4th Cavalry.

CHARGE—"Desertion."

*Specification*—"In this, that Private *Albert Crawford*, of Co. M, 4th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at or near Rock Springs, Texas, on or about the 27th day of June, 1870, remaining so absent until he surrendered himself as a deserter, at Fort Clark, Texas, on the 11th day of December, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Albert Crawford*, Co. M, 4th Cavalry, "To be dishonorably discharged from the military service of the United States, forfeiting all pay and allowances now due or that may become due him, and to be confined at hard labor for two (2) years in such military prison as the reviewing authority may designate."

IV. In the case of Private *Albert Crawford*, Co. M, 4th Cavalry, the proceedings, findings and sentence are approved. On account of the unanimous recommendation to clemency by the members of the court, the term of confinement is reduced to one year. As mitigated, the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the commanding officer with a copy of this order.

V. Before a General Court Marshal which convened at Ringgold Barracks, Texas, on Wednesday, February 23, 1876, pursuant to paragraph IV, Special Orders No. 26, Headquarters Department of Texas, dated February 12, 1876, San Antonio, Texas, of which Major D. R. CLENDENIN, 8th Cavalry, is President, and First Lieutenant HENRY WYGANT, 24th Infantry, Judge Advocate, was arraigned and tried:

5. Private *Samuel Williams*, Co. I, 24th Infantry.

CHARGE—"Violation of the 39th Article of War."

*Specification*—"In that he, Private *Samuel Williams*, Co. I, 24th Infantry, being duly detailed and marched on guard, and having been duly posted on post No. 2, as sentinel, was found asleep on said post. This at Ringgold Barracks, Texas, on or about January 13, 1876, at about 12:30 A. M."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Samuel Williams*, Co. I, 24th Infantry, "To be confined at hard labor in charge of the post guard for the period of six (6) months, and to forfeit to the United States ten (\$10) dollars of his pay per month for the same period."

VI. In the case of Private *Samuel Williams*, Co. I, 24th Infantry, the proceedings, findings and sentence are approved. On account of the length of time the prisoner has been in confinement, the sentence is reduced to read four (4) months in place of "six (6) months," and, as mitigated, will be duly executed.

VII. In the foregoing cases of Sergeant *Jones*, Privates *East*, *Goeuey*, *Craeford* and *Williams*, the attention of the courts that tried the respective cases is called to the fact that the provisions of General Orders No. 19, series of 1875, from these Headquarters, requiring the names of the officers preferring the charges to be entered in the proper place in the proceedings, has not been complied with.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT STOCKTON, TEXAS.

1. Private William Humans ..... Company M, 10th Cavalry.
2. Private George Johnson ..... Company M, 10th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *March 2, 1876.*

### GENERAL COURT MARTIAL { ORDERS NO. 6. }

1. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, February 21, 1876, pursuant to paragraph III, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain J. W. FRENCH, 25th Infantry, is President, and First Lieutenant ANDREW GEDDES, 25th Infantry, Judge Advocate, were arraigned and tried:

1. Private *William Humans*, Co. M, 10th Cavalry.

CHARGE I—"Absence without leave."

Specification—"In that Private *William Humans*, of Co. M, 10th Cavalry, did absent himself from his quarters and all military duties from about 3 o'clock P. M., on the 15th, until about 7 o'clock A. M., on the 16th day of January, 1876, without permission from proper authority. This at Fort Stockton, Texas."

CHARGE II—"Violation of the 16th Article of War."

Specification—"In that Private *William Humans*, of Co. M, 10th Cavalry, did, through gross neglect, lose the following articles of ordnance and ordnance stores, the property of the United States, for which Captain S. T. Norvell, 10th Cavalry, is responsible, and which were issued to him for his use: one (1) leather-covered saddle, of the value of thirteen dollars and sixty-nine (\$13 69) cents, one (1) saddle blanket, of the value of four (\$4.00) dollars, one pair of saddle bags, of the value of four dollars and twenty-five (\$4 25) cents. This at or near Fort Stockton, Texas, on or about the 15th day of January, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Humans*, Co. M, 10th Cavalry, "To forfeit to the United States ten (\$10) dollars of his monthly pay for three (3) months, and to be confined at hard labor at the post where his company may be serving for the same period."

2. Private *George Johnson*, Co. M, 10th Cavalry.

CHARGE—"Desertion."

*Specification 1st*—"In that Private *George Johnson*, of Co. M, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at or near Camp Wichita, I. T., (now Fort Sill), on or about June 14, 1873, and did remain absent until apprehended at or near Fort Gibson, I. T., on or about March 12, 1873."

*Specification 2nd*—"In that Private *George Johnson*, of Co. M, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service while *en route* from Fort Gibson to Fort Sill, I. T., on or about May 3, 1873, and did remain absent until apprehended at or near Fort Griffin, Texas, on or about September 3, 1873."

To which charges and specifications the accused pleaded: "Guilty."

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *George Johnson*, Co. M, 10th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due him, and to be confined at hard labor at such place of confinement as the proper authority may direct for the period of three (3) years."

H. In the cases of Privates *William Humans* and *George Johnson*, Co. M, 10th Cavalry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement in the case of Private *George Johnson*, Co. M, 10th Cavalry, where the prisoner will be sent, under suitable guard, and turned over to the commanding officer, with a copy of this order.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private Henry Moody.....Company E, 24th Infantry.

### AT FORT CLARK, TEXAS.

2. Private John Brooks .....Company A, 9th Cavalry.
3. Private Benjamin F. Craig .....Company F, 9th Cavalry.
4. Private William Burns.....Company K, 10th Infantry.

### AT FORT CONCHO, TEXAS.

5. Private Henry Smith.....Company A, 10th Cavalry.
6. Private James Needham.....Company D, 10th Cavalry.

### AT FORT DAVIS, TEXAS.

7. Recruit Isaac Maynerd.....25th Infantry.

### AT FORT GRIFFIN, TEXAS.

8. Private Richard Conway.....Company E, 10th Cavalry.

### AT FORT MCKAVETT, TEXAS.

9. Private Philip Smith.....Company B, 10th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, *February 28, 1876.*

### GENERAL COURT MARTIAL } ORDERS NO. 5. }

1. Before a General Court Martial which convened at Fort Brown, Texas, on Wednesday, November 24, 1875, pursuant to paragraph I, Special Orders No. 213, Headquarters Department of Texas, dated November 11, 1875, San Antonio, Texas, of which Major A. J. ALEXANDER, 8th Cavalry, is President, and Captain J. W. CLOUS, 24th Infantry, Judge Advocate, was arraigned and tried:

1. Private Henry Moody, Co. E, 24th Infantry.

CHARGE I—"Assault with intent to kill, to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that Private Henry Moody, of Co. E, 24th Infantry, did, without cause or provocation, maliciously, and with intent to kill, assault with a deadly weapon, to wit: a loaded pistol, the person of Corporal Thomas W. Ledger, of Co. H, 8th Cavalry. This at or near Fort Brown and within the limits of the city of Brownsville, Texas, on or about the evening of November 5, 1875."

*Specification 2nd*—"In this, that Private Henry Moody, of Co. E, 24th Infantry, did, without cause or provocation, maliciously, and with intent

to kill, assault with a deadly weapon, to wit: a loaded pistol, the person of Sergeant John Sizzley, of Company H, 8th Cavalry. This at or near Fort Brown, Texas, and within the limits of the city of Brownsville, Texas, on or about the evening of November 5, 1875."

CHARGE II—"Assault, to the prejudice of good order and military discipline."

*Specification 1st*—"In this, that Private *Henry Moody*, of Co. E, 24th Infantry, did, without cause or provocation, and with intent to do bodily harm, strike with a club or stick, the person of Corporal Thomas W. Ledger, of Co. H, 8th Cavalry. This at or near Fort Brown, and within the limits of the city of Brownsville, Texas, on the evening of November 5, 1875."

*Specification 2nd*—"In this, that Private *Henry Moody*, of Co. E, 24th Infantry, did, without cause or provocation, and with intent to do bodily harm, strike with a club or stick, the person of Sergeant John Sizzley, of Co. H, 8th Cavalry. This at or near Fort Brown, and within the limits of the city of Brownsville, Texas, on or about the evening of the 5th of November, 1875."

*Specification 3rd*—"In this, that Private *Henry Moody*, of Co. E, 24th Infantry, did wantonly, while in the commission of an unlawful act, to-wit: committing, with a deadly weapon, (a loaded pistol), an assault, with intent to kill, upon the bodies of Corporal Thomas W. Ledger and Sergeant John Sizzley, Co. H, 8th Cavalry, inflict upon the left forearm of the body of Private Charles Winman, of Co. H, 8th Cavalry, a serious wound, causing the said Winman much bodily pain and injury. This at or near Fort Brown, Texas, and within the limits of the city of Brownsville, Texas, on or about the 5th day of November, 1875."

CHARGE III—"Violation of the 62nd Article of War."

*Specification*—"In this, that Private *Henry Moody*, of Co. E, 24th Infantry, did, in violation of the orders of his company commander, Captain John W. Clous, 24th Infantry, carry, when not on duty, a pistol. This at or near Fort Brown, Texas, and within the limits of the city of Brownsville, Texas, on or about the evening of November 5, 1875."

To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not Guilty."
Of the first charge,	"Guilty."
Of the first specification, second charge,	"Guilty."
Of the second specification, second charge,	"Not Guilty."
Of the third specification, second charge, "Guilty, except the word 'bodies,' substituting in place thereof the word 'body,' and except the words 'and Sergeant John Sizzley,' and of the excepted words, not guilty."	
Of the second charge,	"Guilty."
Of the third charge and specification,	"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Henry Moody*, Co. E, 24th Infantry, "To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor in such penitentiary as

the Department Commander may designate, from time to time, for the period of five (5) years."

II. In the case of Private *Henry Moody*, Co. E, 24th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In accordance with instructions from the Adjutant General's Office, the proceedings will be forwarded for the orders of the Secretary of War.

III. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, December 1, 1875, pursuant to paragraph V. Special Orders No. 223, Headquarters Department of Texas, dated November 26, 1875, San Antonio, Texas, of which Captain J. A. P. HAMPSON, 10th Infantry, is President, and First Lieutenant M. B. HUGHES, 9th Cavalry, Judge Advocate, were arraigned and tried:

2. Private *John Brooks*, Co. A, 9th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

*Specification 1st*—"In this, that he, Private *John Brooks*, Co. A, 9th Cavalry, being regularly detailed as one of the stable police of his company, did fail to report to Corporal Marshall White, of same company, at the time ordered. This at Fort Clark, Texas, on the 25th day of December, 1875."

*Specification 2nd*—"In this, that he, Private *John Brooks*, Co. A, 9th Cavalry, did, when ordered into confinement in post guard house, by Corporal Marshall White, of same company, (he being in the execution of his office), disobey said order, and did attempt violence upon said Corporal White. This at Fort Clark, Texas, on the 25th day of December, 1875."

*Specification 3rd*—"In this, that he, Private *John Brooks*, Co. A, 9th Cavalry, did (with a knife) assault Corporal Marshall White, of same company, said Corporal White being at the time in the execution of his office. This at Fort Clark, Texas, on the 25th day of December, 1875."

*Specification 4th*—"In this, that he, Private *John Brooks*, Co. A, 9th Cavalry, did possess himself of a sabre, and did draw the blade from the scabbard, and did pursue Corporal Marshall White, with the intention of inflicting bodily injury upon him, and did continue pursuit until arrested and disarmed by other parties. This at Fort Clark, Texas, on the 25th day of December, 1875."

CHARGE II—"Manslaughter, to the prejudice of good order and military discipline."

*Specification*—"In this, that he, Private *John Brooks*, Co. A, 9th Cavalry, did, unlawfully and feloniously, discharge at and against the body of Corporal Marshall White, Co. A, 9th Cavalry, a Springfield carbine, (cal. .45), loaded with powder and ball, thereby inflicting on the body of said Corporal Marshall White a wound, whereof, he, the said Marshall White, immediately died. This at or near Fort Clark, Texas, on or about the 25th day of December, 1875."

To which charges and specifications the accused pleaded "Not Guilty." The court, having maturely considered the evidence adduced, finds the accused:

Of the first and third specifications, first charge,	"Not Guilty."
Of the second and fourth specifications, first charge,	"Guilty."
Of the first charge,	"Guilty."

Of the specification, second charge, "Guilty, except the words 'unlawfully' and 'feloniously,' and of the excepted words, not guilty."

Of the second charge, "Not Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John Brooks*, Co. A, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay now due or to become due, and to be confined at hard labor in such military prison as the reviewing authority may direct for the period of one (1) year."

3. Private *Benjamin F. Craig*, Co. F, 9th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Benjamin F. Craig*, Co. F, 9th Cavalry, being on duty as night watchman in the Quartermaster's corral, at Fort Clark, Texas, with orders to remain in charge of all property in said corral until relieved by the day watchman, and not to leave the corral until so relieved, did leave the corral and go to the town of Brackett, Texas, between the hours of 7 and 11 o'clock P. M., and did, by so leaving, allow one saddle, value seven dollars and fifty (\$7.50) cents, the property of the United States, and for which First Lieutenant L. H. Rucker, Regimental Quartermaster 9th Cavalry, Acting Assistant Quartermaster, is responsible, to be taken from the corral. This at Fort Clark, Texas, on the 24th day of December, 1875."

CHARGE II—"Violation of the 17th Article of War."

Specification—"In this, that he, Private *Benjamin F. Craig*, Co. F, 9th Cavalry, did lose, through neglect, one carbine, the property of the United States, and for which Captain Henry Carroll, 9th Cavalry, is responsible, which had been issued to him, the said Private *Benjamin F. Craig*, Co. F, 9th Cavalry, by his company commander. This at Fort Clark, Texas, on or about December 24, 1875."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Benjamin F. Craig*, Co. F, 9th Cavalry, "To make good to the United States the loss of one Springfield carbine, cal. .45, fifty (\$50) dollars, and of one saddle, seven (\$7) dollars, and to forfeit ten (\$10) dollars per month of his pay for three (3) months, and be confined at hard labor at the post where his company may be serving for the same period."

4. Private *William Burns*, Co. K, 10th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William Burns*, Co. K, 10th Infantry, did, privately and feloniously, with intent to steal, take from the quarters of Co. K, 10th Infantry, one (1) Government great coat, being part of the clothing issued to Private Ludwig Kuntzler, of Co. K, 10th Infantry, and did sell the same, and did appropriate the proceeds of said sale to his own use and benefit. This at Fort Clark, Texas, January 17, 1876."

CHARGE II—"Violation of the 17th Article of War."

*Specification*—"In this, that he, Private *William Burns*, Co. K, 10th Infantry, did sell one (1) great coat, the same being part of the clothing issued to him by the United States Government. This at Fort Clark, Texas, January 16, 1876."

To which charges and specifications the accused pleaded:

To the first charge and its specification, "Not Guilty."

To the second charge and its specification, "Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Burns*, Co. K, 10th Infantry, "To be confined at hard labor in the post guard house for five (5) months, and to forfeit five (\$5) dollars per month of his monthly pay for the same period."

The court is thus lenient on account of the evident youth and inexperience of the accused.

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IV. In the case of Private *John Brooks*, Co. A, 9th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the commanding officer with a copy of this order.

In the case of Private *Benjamin F. Craig*, Co. F, 9th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the case of Private *William Burns*, Co. K, 10th Infantry, the proceedings are approved. The findings to the first charge and its specification are disapproved. The *corpus delicti*—the fact that an overcoat belonging to Private Ludwig Knutzler was stolen at all by any one—is not established by legal evidence. There is evidence that the prisoner acknowledged to having sold a great coat the evening Knutzler is said to have lost his, without admitting whose coat it was, but the fact that the said Knutzler did lose a great coat then, or at any time, is only shown by purely hearsay evidence.

The findings to the second charge and its specification are approved. The sentence is reduced to read "To be confined at hard labor in charge of the guard for one month, and to forfeit to the United States five dollars of his pay," and, as mitigated, will be duly executed.

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V. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 17, 1876, pursuant to paragraph II, Special Orders No. 25, Headquarters Department of Texas, dated February 11, 1876, San Antonio, Texas, of which Captain F. E. LACEY, 10th Infantry, is President, and First Lieutenant M. M. MAXON, 10th Cavalry, Judge Advocate, were arraigned and tried:

5. Private *Henry Smith*, Co. A, 10th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

*Specification*—"In that Private *Henry Smith*, Co. A, 10th Cavalry, did present to Joseph Loeb & Co., Fort Concho, Texas, a due bill, and did obtain thereon goods to the amount of five (5) dollars, more or less,

in which said due bill he (the said Private *Henry Smith*) did promise to pay to the said Joseph Loeb & Co. the sum of five (5) dollars, which said due bill purported to be approved by the signature of Captain Nolan, commanding Co. A, 10th Cavalry, which said signature of the said Captain Nolan was a forgery within the knowledge of the said Private *Henry Smith*, Co. A, 10th Cavalry, the said Captain Nolan not having signed or authorized his signature to the approval on said due bill. This at Fort Concho, Texas, on or about November 19, 1875."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In that Private *Henry Smith*, Co. A, 10th Cavalry, did enter the quarters of Mrs. Armstrong, a laundress of said company, and did steal therefrom and appropriate to his own use and benefit twenty-eight (28) pounds of tobacco, more or less, valued at fourteen (14) dollars, more or less."

To which charges and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Henry Smith*, Co. A, 10th Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, and to be confined in such penitentiary as the Department Commander may designate for the period of five (5) years."

6. Private *James Needham*, Co. D, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In that he, Private *James Needham*, Co. D, 10th Cavalry, did steal, carry away, and sell or dispose of, for his own benefit, two (2) woolen blankets, of the value of eight dollars, more or less, the property of Sergeant John Turner, Co. D, 10th Cavalry. This at Fort Concho, Texas, on or about the 25th day of December, 1875."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Not Guilty."

And the court does therefore acquit him, Private *James Needham*, Co. D, 10th Cavalry.

VI. In the case of Private *Henry Smith*, Co. A, 9th Cavalry, the findings to the first charge and its specification are disapproved, as not being conclusively proved. Though it is established that the main body of the paper forged is in the prisoner's hand writing, there is not a particle of proof that he forged the signature thereto, as alleged, or that he presented, or caused to be presented, the forged check.

The Department Commander would, moreover, in this connection, call attention to the fact that the practice of company commanders approving orders or due bills, on post traders or other merchants, signed by a soldier, with a view of constraining payment thereon, is, in a measure, equivalent to allowing traders a lien on the soldier's pay to the extent named in the

orders, and is not only unauthorized by any law but is repugnant to previous legislation abolishing the sutler's lien, and in opposition to instructions from the War Department. (See Circulars 5 and 18, Headquarters Department of Texas, 1871; Circulars Adjutant General's Office, June 7, 1871, and March 25, 1872; Section 3, Chapter 4, Act approved December 24, 1861. See, also, remarks in the case of Private Jesse Gardiner in General Court Martial Orders No. 8, Headquarters Department of Texas, series of 1874).

The findings to the second charge and specification are also disapproved, the evidence in support thereof not being sufficiently satisfactory or conclusive.

It is also to be remarked that in the specification to the second charge, as copied into the record, no date or place of the offence is set forth, although both are in the original charges.

Subject to the above remarks the proceedings are approved. The sentence is disapproved. Private *Smith* will be released from confinement and returned to duty.

In the case of Private *James Needham*, Co. D, 10th Cavalry, the proceedings, findings and acquittal are approved.

*(Orders have already been issued for his release from confinement).*

VII. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, October 25, 1875, pursuant to paragraph III, Special Orders No. 193, and paragraph I, Special Orders No. 17, Headquarters Department of Texas, dated, respectively, October 9, 1875, and January 28, 1876, San Antonio, Texas, of which Colonel G. L. ANDREWS, 25th Infantry, is President, and Second Lieutenant HARRY READE, 25th Infantry, Judge Advocate, was arraigned and tried:

7. Recruit *Isaac Maynerd*, 25th Infantry.

CHARGE—"Violation of the 62nd Article of War."

Specification 1st—"In this, that he, Recruit *Isaac Maynerd*, 25th Infantry, did borrow one great coat, of the money value of six dollars and forty-four cents, more or less, the property of Recruit John H. Smith, 25th Infantry, and did fail to return the same. This at or near Fort Stockton, Texas, on or about December 25, 1875."

Specification 2nd—"In this, that he, Recruit *Isaac Maynerd*, 25th Infantry, did borrow one great coat, of the money value of six dollars and forty-four cents, the property of Recruit William Saunders, 25th Infantry, and did sell the same, and did appropriate the proceeds to his own use and benefit. This at Fort Stockton, Texas, on or about December 25, 1875."

Specification 3rd—"In this, that he, Recruit *Isaac Maynerd*, 25th Infantry, did feloniously steal, take and carry away, and appropriate to his own use, one great coat, of the value of six dollars and forty-four cents, more or less, the property of Recruit William H. Williams, Co. H, 25th Infantry. This at or near Fort Davis, Texas, on or about January 4, 1876."

To which charge and specifications the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specifications,

"Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Isaac Maynerd*, 25th Infantry, "To be dishonorably discharged from the service of the United States, with forfeiture of all pay and allowances now due or that may be-

come due, except the just dues of the laundress, and to be confined in charge of the guard, at hard labor, at the post where his company may be serving for the period of six (6) months."

VIII. In the case of Recruit *Isaac Maynerd*, 25th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

IX. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, August 10, 1875, pursuant to paragraph II, Special Orders No. 149, Headquarters Department of Texas, dated, July 27, 1875, San Antonio, Texas, of which Captain G. L. CHOISTY, 11th Infantry, is President, and First Lieutenant JOHN WHITNEY, 11th Infantry, Judge Advocate, was arraigned and tried:

S. Private *Richard Conway*, Co. E, 10th Cavalry.

CHARGE I—"Violation of the 32nd Article of War."

Specification—"In this, that he, Private *Richard Conway*, Co. E, 10th Cavalry, did absent himself from his company without permission from his company commander."

CHARGE II—"Violation of the 62nd Article of War."

Specification—"In this, that Private *Richard Conway*, Co. E, 10th Cavalry, when being arrested for being absent from his company without proper authority, by the corporal of the guard, (Corporal George Young, Co. B, 10th Cavalry), did resist the said corporal by striking him on the head and body, using, at the same time, abusive language towards the same. All this at or near Fort Griffin, Texas, between the hours of 12 and 1 A. M., December 26, 1875."

To which charges and specifications the accused pleaded:

To the first charge and its specification,

"Guilty."

To the second charge and its specification,

"Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charges and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Richard Conway*, Co. E, 10th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him, and to be confined at hard labor in such military prison as the Department Commander may designate for the period of one (1) year."

X. In the case of Private *Richard Conway*, Co. E, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the commanding officer with a copy of this order.

XI. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 13, 1875, pursuant to paragraph III, Special Orders No. 229, and paragraph I, Special Orders No. 233, Headquarters Department of Texas, dated, respectively, December 6 and 10, 1875, San Antonio, Texas, of which Major T. M. ANDERSON, 10th Infantry, is President, and Second Lieutenant ALURED LARKE, 10th Infantry, Judge Advocate, was arraigned and tried:



9. Private *Philip Smith*, Co. B, 10th Infantry.

CHARGE I—"Violation of the 38th Article of War."

*Specification*—"In this, that *Philip Smith*, private Co. B, 10th Infantry, having been duly mounted as a member of the post guard, did become so drunk as to be unable to perform his duty. This at Fort McKavett, Texas, on the 19th day of January, 1876."

CHARGE II—"Conduct prejudicial to good order and military discipline."

*Specification*—"In this, that Private *Philip Smith*, Co. B, 10th Infantry, did, when a member of the post guard, carry into the guard house one (1) bottle of intoxicating liquor, and conceal the same about his person. This at Fort McKavett, Texas, on the 19th day of January, 1876."

ADDITIONAL CHARGE I—"Drunkenness, to the prejudice of good order and military discipline."

(*Ten specifications setting forth several acts of drunkenness on December 23, 24, 26, 27, 29, 1875, January 1, 3, 5, 13, 15, 1876.*)

ADDITIONAL CHARGE II—"Violation of the 38th Article of War."

*Specification 1st*—"In this, that Private *Philip Smith*, Co. B, 10th Infantry, being on duty as room orderly, did become so much under the influence of intoxicating liquor as to be unfit to properly perform said duty. This at Fort McKavett, Texas, on or about December 25, 1875."

*Specification 2nd*—"In this, that Private *Philip Smith*, Co. B, 10th Infantry, being on duty as room orderly, did become so much under the influence of intoxicating liquor as to be unfit for the proper performance of said duty. This at Fort McKavett, Texas, on or about December 31, 1875."

*Specification 3rd*—"In this, that Private *Philip Smith*, Co. B, 10th Infantry, being on duty as room orderly, did become so much under the influence of intoxicating liquor as to be unfit for the proper performance of said duty. This at Fort McKavett, Texas, on or about January 4, 1876."

To which charges and specifications the accused pleaded as follows:

To the second charge and its specification, "Guilty."

To the remaining charges and specifications, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first and second charges and their specifications, "Guilty."

Of the first, second, third, fourth and fifth specifications, first additional charge, "Guilty."

Of the remaining specifications, first additional charge, "Not Guilty."

Of the first additional charge, "Guilty."

Of the first specification, second additional charge, "Guilty."

Of the second and third specifications, second additional charge, "Not Guilty."

Of the second additional charge, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Philip Smith*, Co. B, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for the period of four (4) months, and to be confined at hard labor under charge of the guard for the period of one (1) month."

The court is thus lenient on account of the short period the prisoner has been in the regular army and his good record in the volunteer service during the late war, as shown in evidence, and believing that he will profit by this lesson and improve his habits of sobriety.

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XII. In the case of Private *Philip Smith*, Co. B, 10th Infantry, the proceedings are approved. The findings to the sixth, seventh, eighth, ninth and tenth specifications to the first additional charge, and second and third specifications to the second additional charge, are disapproved. The evidence both for and against these specifications seems to be very nearly identical with that which refers to the other specifications to the same charges of which the prisoner was found guilty, and no reason is apparent in the record for the discrimination of the court. As the Commanding General does not approve of soldiers being sentenced to loss of pay while doing their full duty, only so much of the sentence as imposes confinement at hard labor in charge of the guard and forfeiture of ten dollars of his pay for the period of one month will be carried into effect.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private David George ..... Company G, 10th Infantry.
2. Private Edward McKenzie ..... Company I, 9th Cavalry.

### AT FORT McKEVETT, TEXAS.

3. Private Charles Pulsfort ..... Company I, 10th Infantry.
4. Private Allen D. Speaks ..... Company K, 10th Cavalry.

### AT FORT RICHARDSON, TEXAS.

5. Private Thomas Hoard ..... Company D, 5th Artillery.

## HEADQUARTERS DEPARTMENT OF TEXAS, SAN ANTONIO, TEXAS, February 7, 1876.

### GENERAL COURT MARTIAL { ORDERS No. 4. }

1. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, December 1, 1875, pursuant to paragraph V, Special Orders No. 223, Headquarters Department of Texas, dated November 26, 1875, San Antonio, Texas, of which Captain J. A. P. HAMPSON, 10th Infantry, is President, and First Lieutenant M. B. HUGHES, 9th Cavalry, Judge Advocate, were arraigned and tried:

1. Private David George, Co. G, 10th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private David George, G Co., 10th Infantry, did present to James Cornell an order for the sum of five (\$5.00) dollars, dated November 25, 1875, having on the face thereof the false or forged signature of his company commander, purporting an approval of said order, and did obtain thereon goods or credit therefor from said Cornell to said amount. This at Brackett, Kinney county, Texas, on or about November 26, 1875."

Specification 2nd—"In this, that Private David George, G Co., 10th Infantry, did present to James Cornell an order for the sum of five (\$5.00) dollars, dated November 30, 1875, having on the face thereof the false or forged signature of his company commander, purporting an approval of said order, and did obtain thereon goods or credit therefor from said Cornell to said amount. This at Brackett, Kinney county, Texas, on or about November 30, 1875."

To which charge and specifications the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Not Guilty."

And the court does therefore acquit him, Private David George, Co. G, 10th Infantry.

2. Private Edward McKenzie, Co. I, 9th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private Edward McKenzie, Co. I, 9th Cavalry, being a member of the post guard, and having permission to go to his dinner with orders to return in time to go on post at 1

o'clock P. M., did fail to return to his guard, and did remain absent until brought back at 3 o'clock P. M. This at Fort Clark, Texas, January 18, 1876."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Edward McKenzie*, Co. I, 9th Cavalry, being a member of the post guard, did become so drunk as to be totally unable to perform any duty whatever. This at Fort Clark, Texas, January 18, 1876."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Edward McKenzie*, Co. I, 9th Cavalry, "To forfeit to the United States ten dollars of his monthly pay, per month, for four months, and be confined at hard labor for same period."

II. In the case of Private *David George*, Co. G, 10th Infantry, the proceedings, findings and acquittal are approved.

(Orders have already been issued for his release from confinement).

In the case of Private *Edward McKenzie*, Co. I, 9th Cavalry, the proceedings, findings and sentence are approved. Taking into consideration the circumstances of the case and the unanimous recommendation to mercy by the court, the sentence is remitted. He will be released from confinement and returned to duty.

III. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 13, 1875, pursuant to paragraph III, Special Orders No. 229, and paragraph I, Special Orders No. 233, Headquarters Department of Texas, dated, respectively, December 6 and 10, 1875, San Antonio, Texas, of which Major T. M. ANDERSON, 10th Infantry, is President, and Second Lieutenant ALURED LARKE, 10th Infantry, Judge Advocate, were arraigned and tried:

3. Private *Charles Pulsfort*, Co. I, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Charles Pulsfort*, (late sergeant), Co. I, 10th Infantry, a duly enlisted soldier in the army of the United States, did desert the said service at Fort McKavett, Texas, on or about the 4th day of January, 1876, and did remain absent until apprehended at or near Rock springs, Texas, on or about the 7th day of January, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Charles Pulsfort*, Co. I, 10th Infantry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances now due or to become due, the just dues of the hundred excepted, and to be confined at hard labor in such military prison as the reviewing authority may direct for the period of six (6) months."

The court is thus lenient in consideration of the former good character of the prisoner as shown in the evidence.

4. Private *Allen D. Speaks*, Co. K, 10th Cavalry.

CHARGE I—"Violation of the 40th Article of War."

*Specification*—"In this, that Private *Allen D. Speaks*, Co. K, 10th Cavalry, having been regularly mounted as a member of the stable guard of Co. K, 10th Cavalry, did, without leave from proper authority, absent himself from his guard at about the hour of 10 o'clock A. M., and did so remain absent until after retreat roll-call. This at Fort McKavett, Texas, on the 1st day of January, 1876."

CHARGE II—"Violation of the 38th Article of War."

*Specification*—"In this, that Private *Allen D. Speaks*, Co. K, 10th Cavalry, having been regularly mounted as a member of the stable guard of Co. K, 10th Cavalry, did become so drunk as to be unable to perform his duties as a member of said guard. This at or near Fort McKavett, Texas, on the 1st day of January, 1876."

CHARGE III—"Violation of the 32nd Article of War."

*Specification*—"In this, that Private *Allen D. Speaks*, Co. K, 10th Cavalry, did, without authority, absent himself from his company and visit the town near Fort McKavett, Texas, at about 10 o'clock A. M., and did so remain absent until after the retreat roll-call of his company. This at or near Fort McKavett, Texas, on the 1st day of January, 1876."

CHARGE IV—"Disobedience of orders, in violation of the 62nd Article of War."

*Specification*—"In this, that Private *Allen D. Speaks*, Co. K, 10th Cavalry, did visit the town near Fort McKavett, Texas, in violation of General Orders No. 33, Headquarters Fort McKavett, Texas, August 10, 1875. This at or near Fort McKavett, Texas, on or about the 1st day of January, 1876."

CHARGE V—"Violation of the 17th Article of War."

*Specification 1st*—"In this, that Private *Allen D. Speaks*, Co. K, 10th Cavalry, did sell, or lose through neglect, one cavalry great coat, valued at six dollars and forty-four (\$6.44) cents, the same having been issued to the said *Speaks* as a part of his uniform. This at or near Fort McKavett, Texas, on or about the 1st day of January, 1876."

*Specification 2nd*—"In this, that Private *Allen D. Speaks*, Co. K, 10th Cavalry, did sell, or lose through neglect, twenty-four Springfield carbine metallic cartridges, calibre .45, valued at one dollar and forty-four (\$1.44) cents, also, one campaign cartridge belt, (price unknown), the said cartridges and belt having been issued him as a part of his equipments. This at or near Fort McKavett, Texas, on the 1st day of January, 1876."

To which charges and specifications the accused pleaded:

To the first four charges and specifications,	"Guilty."
To the first specification, fifth charge,	"Not Guilty."
To the second specification, fifth charge,	"Guilty."
To the fifth charge,	"Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, fifth charge,	"Not Guilty."
Of the remaining charges and specifications.	"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Allen D. Speaks*, Co. K, 10th Cavalry, "To be confined at hard labor under charge of the guard at the post where his company may be serving for the period of one (1) year, and to forfeit to the United States ten (10) dollars per month for the same period."

IV. In the case of Private *Charles Pulafort*, Co. I, 10th Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed; the period of confinement to commence at the expiration of the term of confinement the prisoner is already undergoing per General Court Martial Orders No. 47, series of 1875, modified per paragraph VI, Special Orders No. 25, current series, from these Headquarters.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement.

In the case of Private *Allen D. Speaks*, Co. K, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

V. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, January 20, 1875, pursuant to paragraph VI, Special Orders No. 7, Headquarters Department of Texas, dated January 11, 1875, San Antonio, Texas, of which Colonel W. H. Wood, 11th Infantry, is President, and Second Lieutenant A. L. Myer, 11th Infantry, Judge Advocate, was arraigned and tried:

5. Private *Thomas Hoard*, Co. D, 5th Artillery.

CHARGE I—"Desertion."

Specification—"That he, Private *Thomas Hoard*, of Co. D, 5th Artillery, being a duly enlisted soldier in the service of the United States, did desert the same on the 19th day of May, 1872. This at Fort Warren, Massachusetts."

CHARGE II—"Violation of the 59th Article of War."

Specification—"That he, Private *Thomas Hoard*, of Co. D, 5th U. S. Artillery, having deserted the service of the United States, did enlist in the 11th Infantry without a regular discharge from the said 5th Artillery. This at Boston, Massachusetts, on the 8th day of May, 1874."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:  
Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Thomas Hoard*, Co. D, 5th Artillery, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or to become due, except the just dues of the laundress, and be confined in such military prison as the Department Commander may direct for the period of two years."

VI. In the case of Private *Thomas Hoard*, Co. D, 5th Artillery, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

The military prison at Fort Leavenworth, Kansas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the commanding officer with a copy of this order.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

Assistant Adjutant General.

OFFICIAL:

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT CLARK, TEXAS.

1. Private David Biggs.....Company D, 9th Cavalry.
2. Private John W. Brewer.....Company D, 9th Cavalry.
3. Private James H. Gage.....Company D, 9th Cavalry.
4. Private Isaac Griffin .....Company D, 24th Infantry.

### AT FORT GRIFFIN, TEXAS.

5. Private John Hannin.....Company G, 11th Infantry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *February 4, 1876.*

### GENERAL COURT MARTIAL { ORDERS NO. 3.

1. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, December 1, 1875, pursuant to paragraph V, Special Orders No. 223, Headquarters Department of Texas, dated November 26, 1875, San Antonio, Texas, of which Captain J. A. P. HAMPSON, 10th Infantry, is President, and First Lieutenant M. B. HUGHES, 9th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *David Biggs*, Co. D, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *David Biggs*, Co. D, 9th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Clark, Texas, on or about the 21st day of September, 1875, and did remain absent therefrom until apprehended at or near San Antonio, Texas, on or about the 4th day of January, 1876."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *David Biggs*, Co. D, 9th Cavalry, "To be confined at hard labor at such military prison as the reviewing authority may designate for two (2) years; to forfeit all pay and allowances now due or to become due, and to be dishonorably discharged the service of the United States."

2. Private *John W. Brewer*, Co. D, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John W. Brewer*, Co. D, 9th Cavalry, a duly enlisted soldier in the military service of the United States, did desert said service at Fort Clark, Texas, on or about the 9th day of November, 1875, and did remain absent therefrom until apprehended and brought back, under guard, to the same post on or about the 25th day of November, 1875."

To which charge and specification the accused pleaded "Guilty."

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John W. Brewer*, Co. D, 9th Cavalry, "To forfeit all pay and allowances due or to become due; to be dishonorably discharged, and confined at hard labor for the period of two (2) years in such military prison as the reviewing authority may designate."

3. Private *James H. Gage*, Co. D, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *James H. Gage*, Co. D, 9th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Clark, Texas, on or about the 9th day of November, 1875, and did remain absent therefrom until apprehended and brought back to the same post, under guard, on or about the 25th day of November, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *James H. Gage*, Co. D, 9th Cavalry, "To forfeit all pay and allowances now due or to become due; to be dishonorably discharged the service, and confined at hard labor for the period of two (2) years at such military prison as the reviewing authority may designate."

4. Private *Isaac Griffin*, Co. D, 24th Infantry.

CHARGE I—"Violation of the 32nd Article of War."

Specification—"In this, that Private *Isaac Griffin*, Co. D, 24th Infantry, on extra duty in the post hospital Fort Duncan, Texas, did, on the 13th of November, 1875, absent himself therefrom (without authority) between taps and reveille next morning. All this at Fort Duncan, Texas, and at the date specified."

CHARGE II—"Violation of the 17th Article of War."

Specification 1st—"In this, that Private *Isaac Griffin*, Co. D, 24th Infantry, on extra duty in the post hospital Fort Duncan, Texas, did sell to one Clive Houston, on or about the 7th of November, 1875, one pair of new trousers and one shirt, clothing he had drawn from the U. S. Government on the 14th of October, 1875, for his own use. All this at Fort Duncan, Texas, and at the dates above specified."

Specification 2nd—"In this, that Private *Isaac Griffin*, Co. D, 24th Infantry, on extra duty in the post hospital Fort Duncan, Texas, did lose or sell two (2) new pairs of drawers which he had drawn from the U. S. Government on the 14th of October, 1875, for his own use. All this at Fort Duncan, Texas, and at the date above specified."

CHARGE III—"Violation of the 62nd Article of War."

Specification—"In this, that Private *Isaac Griffin*, Co. D, 24th Infantry, on extra duty in the post hospital Fort Duncan, Texas, did, on the 13th of November, 1875, steal from the post library one (1) blanket, one (1) pair of new trousers, one (1) great coat and one (1) blouse, the property of the librarian, Musician William Griffin, Co. H, 10th Infantry. All this at Fort Duncan, Texas, and at the date above specified."

To which charges and specifications the accused pleaded:



To the first and second charges and their specifications, "Guilty."  
 To the third charge and its specification, "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first and second charges and their specifications, "Guilty."

Of the specification, third charge, "Guilty, except the words 'one (1) blanket,' and 'one (1) pair of new trousers,' and of the excepted words, not guilty."

Of the third charge, "Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Isaac Griffin*, Co. D, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay due or to become due, and to be confined at hard labor in such penitentiary as the reviewing authority may designate for the period of two (2) years."

II. In the case of Private *David Biggs*, Co. D, 9th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the cases of Privates *John W. Brewer* and *James H. Gage*, Co. D, 9th Cavalry, the proceedings, findings and sentences are approved. The period of confinement, in each case, is reduced to twenty-three months; and, as mitigated, will be duly executed.

In the cases of Privates *Biggs*, *Brewer* and *Gage* the military prison at Fort Leavenworth, Kansas, is designated as the place of confinement, where the prisoners will be sent, under suitable guard, and turned over to the commanding officer with a copy of this order.

In the case of Private *Isaac Griffin*, Co. D, 24th Infantry, the proceedings and findings are approved, except so much of the findings to the specification to the third charge as declares the prisoner guilty of stealing the overcoat, the evidence thereof not being conclusive. The period of confinement is reduced to twenty-three months. As mitigated, the sentence is confirmed and will be duly executed.

In accordance with instructions from the Adjutant General's Office the proceedings in the case of Private *Griffin* will be forwarded for the orders of the Secretary of War.

III. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, August 10, 1875, pursuant to paragraph II, Special Orders No. 143, Headquarters Department of Texas, dated, July 27, 1875, San Antonio, Texas, of which Captain G. L. CHOISY, 11th Infantry, is President, and First Lieutenant JOHN WHITNEY, 11th Infantry, Judge Advocate, was arraigned and tried:

5. Private *John Hannin*, Co. G, 11th Infantry.

CHARGE—"Sleeping on post, in violation of the 39th Article of War."

SPECIFICATION—"In this, that he, Private *John Hannin*, Co. G, 11th Infantry, having been duly mounted a member of the post guard and posted a sentinel over the Government hay stacks, did lie down, and was found sleeping on said post. All this at Fort Griffin, Texas, between the hours of 12 and 1 A. M., of the 26th December, 1875."

To which charge and specification the accused pleaded "Guilty."

## FINDING.

The court, after mature consideration, finds the accused

Of the charge and specification,

"GUILTY."

SENTENCE.

And the court does therefore sentence him, Private *John Hannin*, Co. G, 11th Infantry, "To be confined at hard labor under charge of the post guard for six (6) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for seven (7) months."

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IV. In the case of Private *John Hannin*, Co. G, 11th Infantry, the proceedings, findings and sentence are approved. The sentence is mitigated to read "To be confined at hard labor under charge of the guard for six (6) months, and to forfeit to the United States ten dollars of his monthly pay for the same period," and, as mitigated, will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*

## CASES TRIED BY A GENERAL COURT MARTIAL.

### AT FORT BROWN, TEXAS.

1. Private John McVicker.....Company D, 8th Cavalry.

### AT FORT DAVIS, TEXAS.

2. Private William Chase .....Company H, 10th Cavalry.
3. Private Andy Clayton .....Company H, 10th Cavalry.
4. Private William Johnson.....Company B, 25th Infantry.
5. Private Henry Miles .....Company B, 25th Infantry.
6. Private George W. Harding .....Company H, 10th Cavalry.

### AT FORT GRIFFIN, TEXAS.

7. Private John T. Green.....Company E, 10th Cavalry.

### AT FORT McKAVETT, TEXAS.

8. Private Gordon Hightower.....Company C, 10th Cavalry.

## HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January 25, 1876.*

### GENERAL COURT MARTIAL { ORDERS No. 2. }

I. Before a General Court Martial which convened at Fort Brown, Texas, per paragraph I, Special Orders No. 213, Headquarters Department of Texas, dated November 11, 1875, San Antonio, Texas, of which Colonel EDWARD HATCH, 9th Cavalry, is President, and Captain J. W. CLOUS, 24th Infantry, Judge Advocate, was arraigned and tried:

1. Private *John McVicker*, Co. D, 8th Cavalry.

CHARGE—"Assault, with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that Private *John McVicker*, Co. D, 8th Cavalry, did, on or about the 23rd day of November, 1875, at or near Edinburg, Texas, with malice and intent to kill, assault, with a deadly weapon, to-wit: a loaded Colt's revolver, Private Charles Allen, of Co. D, 8th Cavalry, and did, then and there, inflict upon the person of the said Private Allen a dangerous wound."

To which charge and specification the accused pleaded "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John McVicker*, Co. D, 8th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due, and to be confined at hard labor in such penitentiary as the Department Commander may designate for the period of seven (7) years."

II. In the case of Private *John McVicker*, Co. D, 8th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed. In accordance with instructions from the Adjutant General's Office the proceedings will be forwarded for the orders of the Secretary of War.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, October 25, 1875, pursuant to paragraph III, Special Orders No. 193, Headquarters Department of Texas, dated October 9, 1875, San Antonio, Texas, of which Colonel G. L. ANDREWS, 25th Infantry, is President, and First Lieutenant C. N. GRAY, Adjutant 25th Infantry, Judge Advocate, were arraigned and tried:

2. Private *William Chase*, Co. H, 10th Cavalry.

CHARGE I—"Violation of the 33rd Article of War."

Specification—"In this, that Private *William Chase*, of Co. H, 10th Cavalry, having been duly notified of his detail for guard for December 3, 1875, at retreat December 2, 1875, did, without authority, fail to be present at the inspection of the detail at guard mounting by the first sergeant. This at Fort Davis, Texas, on or about December 3, 1875."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *William Chase*, of Co. H, 10th Cavalry, having been informed by the first sergeant that he (Private *Chase*) would be confined if he did not make his appearance in time for the inspection of the detail for guard, did reply, in an insolent manner, that he 'did not care if they did put him in the guard house,' or words to that effect. This at Fort Davis, Texas, on or about the 3rd day of December, 1875."

Specification 2nd—"In this, that Private *William Chase*, of Co. H, 10th Cavalry, having, without authority, crossed the Rio Grande to the town of Presidio del Norte, Mexico, became under the influence of liquor and was disorderly there and on his return. This near Del Norte, Texas, on or about the 12th day of November, 1875."

CHARGE III—"Violation of the 32nd Article of War."

Specification—"In this, that Private *William Chase*, of Co. H, 10th Cavalry, did absent himself from his company, without authority, on or about the evening of the 12th day of November, 1875, and go to the town of Presidio del Norte, Mexico, and did remain absent until on or about 11 o'clock that night. This near Del Norte, Texas, on or about the dates above specified."

To which charges and specifications the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charges and specifications, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Chase*, Co. H, 10th Cavalry, "To forfeit to the United States ten (10) dollars per month of his pay for four (4) months."

3. Private *Andy Clayton*, Co. H, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Andy Clayton*, of Co. H, 10th Cavalry, having been duly posted as a sentinel over the property pertaining to Co. H, 10th Cavalry, including the wagons containing supplies, did climb into one of the said wagons and feloniously steal therefrom a

quantity of bread—rations pertaining to Co. H, 10th Cavalry. This at the camp of Co. H, 10th Cavalry, on the Rio Grande, on or about the 24th day of November, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Andy Clayton*, Co. H, 10th Cavalry, To forfeit to the United States ten (10) dollars per month for six months, and to be confined at hard labor in charge of the guard for the same period, with the exception of the last fourteen days, which shall be in solitary confinement on bread and water diet."

4. Private *William Johnson*, Co. B, 25th Infantry.

CHARGE—"Violation of the 62nd Article of War."

Specification—"In this, that Private *William Johnson*, Co. B, 25th Infantry, with a deadly weapon, to-wit: a knife, did, feloniously, wilfully, maliciously and of his malice aforethought, assault, with intent to kill, Private *James Degroot*, Co. B, 25th Infantry, and in furtherance of said felonious design did inflict on the person of the said Degroot, with the knife mentioned, one or more severe wounds; and did continue his felonious assault in and upon the person of the said Private Degroot until restrained by a member of the post guard. This at Fort Davis, Texas, on or about the 5th day of November, 1875."

To which charge and specification the accused pleaded:

To the specification, "Guilty, except the words 'feloniously, wilfully, maliciously and of his malice aforethought,' and of the excepted words, not guilty."

To the charge, "Not Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification, "Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *William Johnson*, Co. B, 25th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or that may become due, and then to be confined in such penitentiary as the proper authority may direct for the period of ten (10) years, at hard labor."

5. Private *Henry Miles*, Co. B, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *Henry Miles*, Co. B, 25th Infantry, having been regularly posted as sentinel No. 1, which included in his beat the subsistence storehouse, did, while so on duty, forcibly pry off two iron bars on one of the windows, and did feloniously steal from said storehouse the following articles, the property of the United States and for which First Lieutenant W. I. Sanborn, 25th Infantry, A. C. S., is accountable, to-wit: three pounds of tobacco, three cakes of toilet soap and three cans of sardines, of the total value of two dollars and sixty cents. This at Fort Quitman, Texas, on the night from October 21 to October 22, 1875."

To which charge and specification the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'from October 21 to October 22,' substituting therefor the words 'from October 20 to October 21,' and of the excepted words, not guilty."

Of the charge,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *Henry Miles*, Co. B, 25th Infantry, "To be dishonorably discharged from the service of the United States, with the loss of all pay and allowances now due or that may become due, except the just dues of the laundress, and to be confined at hard labor in such penitentiary as the Department Commander may direct for the period of two (2) years."

IV. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, May 3, 1875, pursuant to paragraph II, Special Orders No. 77, Headquarters Department of Texas, dated April 24, 1875, San Antonio, Texas, of which Captain *DAVID SCHOOLEY*, 25th Infantry, is President, and First Lieutenant *C. N. GRAY*, Adjutant 25th Infantry, Judge Advocate, was arraigned and tried:

6. Private *George W. Harding*, Co. H, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *George W. Harding*, of Co. H, 10th Cavalry, did feloniously steal, take, carry away and appropriate to his own use and benefit, one (1) Colt's improved revolver, cal. .45, No. 567, of the value of thirteen dollars, the property of the United States and for which Captain *L. H. Carpenter*, 10th Cavalry, is responsible, and did sell said revolver to one *Hamilton P. Jones*, a citizen residing near Fort Davis, Texas. This at or near Fort Davis, Texas, on or about the 18th day of August, 1875."

To which charge and specification the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specification,

"Guilty."

## SENTENCE.

And the court does therefore sentence him, Private *George W. Harding*, Co. H, 10th Cavalry, To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or to become due, and to be confined in such military prison as the Commanding General of the Department may designate for the period of one (1) year."

V. In the case of Private *William Chase*, Co. H, 10th Cavalry, the proceedings and findings are approved. In order that the prisoner may not escape punishment the sentence is also approved, although the Department Commander does not approve, as a general thing, of courts awarding sentences of stoppage of pay unaccompanied with confinement, believing that soldiers who are required to do full duty should receive full pay. He is of opinion that, in a case like the present, it would be more conducive to the interests of the service for a court to award a stoppage less in amount, making the sentence equivalent in severity by imposing corresponding confinement.

In the case of Private *Andy Clayton*, Co. H, 10th Cavalry, the proceedings, findings and sentence are approved, and the sentence will be duly executed.

In the cases of Privates *William Johnson* and *Henry Miles*, Co. B, 25th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

In accordance with instructions from the Adjutant General's Office the proceedings in the cases of Privates *Johnson* and *Miles* will be forwarded for the orders of the Secretary of War.

In the case of Private *George W. Harding*, Co. H, 10th Cavalry, the proceedings and findings are approved. In view of the delay in publishing the proceedings the period of confinement is reduced to ten months, and, as mitigated, the sentence will be duly executed.

The post of Fort Davis, Texas, is designated as the place of confinement.

VI. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, August 10, 1875, pursuant to paragraph II, Special Orders No. 149, Headquarters Department of Texas, dated, July 27, 1875, San Antonio, Texas, of which Captain G. L. CHOISY, 11th Infantry, is President, and First Lieutenant JOHN WHITNEY, 11th Infantry, Judge Advocate, was arraigned and tried:

7. Private *John T. Green*, Co. E, 10th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

SPECIFICATION—"In this, that he, Private *John T. Green*, Co. E, 10th Cavalry, having been told by Corporal and Lance Sergeant Charles Key, Co. E, 10th Cavalry, Acting Quartermaster Sergeant, to get his dinner and get out of the mess room, did, when Lance Sergeant Key tried to put him out, strike the said sergeant with his fist. This while Corporal and Lance Sergeant Key was in the execution of his office. This at Fort Griffin, Texas, on or about December 3, 1875."

To which charge and specification the accused pleaded "Guilty."

#### FINDING.

The court, after mature consideration, finds the accused:

Of the charge and specification,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *John T. Green*, Co. E, 10th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him, and to be confined at hard labor in such military prison as the Department Commander may designate for the period of one (1) year."

VII. In the case of Private *John T. Green*, Co. E, 10th Cavalry, the proceedings and findings are approved. The sentence is mitigated to read "To be confined at hard labor in charge of the guard for five months, forfeiting to the United States his pay for the same period," and will be so executed.

The station of his company is designated as the place of confinement.

VIII. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 13, 1875, pursuant to paragraph III, Special Orders No. 229, and paragraph I, Special Orders No. 233, Headquarters Department of Texas, dated, respectively, December 6 and 10, 1875, San Antonio, Texas, of which Major T. M. ANDERSON, 10th Infantry, is President, and Second Lieutenant ALFRED LAKE, 10th Infantry, Judge Advocate, was arraigned and tried:

S. Private *Gordon Hightower*, Co. C, 10th Cavalry.

CHARGE—"Desertion."

*Specification 1st*—"In this, that he, Private *Gordon Hightower*, C Co., 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service and company at a camp near the Cheyenne Agency, Indian Territory, on or about the 27th day of January, 1871, and did remain absent until apprehended as a deserter on or about January 31, 1871. This at or near the Cheyenne Agency, Indian Territory, on or about the 27th day of January, 1871."

*Specification 2nd*—"In this, that he, Private *Gordon Hightower*, C Co., 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service and company at Fort Sill, I. T., on or about the 20th day of September, 1871, and did remain absent until apprehended as a deserter at or near Denison, Texas, on or about the 25th day of May, 1875. This at Fort Sill, Indian Territory, on or about the 20th day of September, 1871."

To which charge and specifications the accused pleaded:

To the first specification,

"Guilty."

To the second specification,

"Not Guilty."

To the charge,

"Guilty."

#### FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the charge and specifications,

"Guilty."

#### SENTENCE.

And the court does therefore sentence him, Private *Gordon Hightower*, Co. C, 10th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances, except the just dues of the laundress, and to be confined at hard labor at such place as the reviewing authority may direct for the period of one (1) year."

The court is thus lenient on account of the ill treatment of the prisoner previous to his desertion, as shown by the evidence.

IX. In the case of Private *Gordon Hightower*, Co. C, 10th Cavalry, the proceedings and the findings to the charge and the first specification are approved. The findings to the second specification are disapproved, as not being supported by sufficient legal proof. The sentence is approved but so much thereof as imposes hard labor and confinement for one year is remitted. As mitigated, the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,

*Assistant Adjutant General.*

OFFICIAL:

*Aide-de-Camp.*



HEADQUARTERS DEPARTMENT OF TEXAS,  
SAN ANTONIO, TEXAS, *January 24, 1876.*

GENERAL COURT MARTIAL }  
ORDERS No. 1. }

I. Before a General Court Martial which convened at San Antonio, Texas, on Wednesday, January 5, 1876, pursuant to paragraph I, Special Orders No. 249, Headquarters Department of Texas, dated December 20, 1875, San Antonio, Texas, of which Colonel H. B. CLITZ, 10th Infantry, is President, and Captain C. D. EMORY, 9th Infantry, Judge Advocate, was arraigned and tried:

Second Lieutenant *Edward P. Turner*, 10th Cavalry.

CHARGE I—"Violation of the 33rd Article of War."

(*There are forty-one specifications under this charge alleging unauthorized absence from morning stables, at different specified dates, on and between the 1st day of July and the 31st day of August, 1875.*)

CHARGE II—"Violation of the 20th Article of War."

Specification 1st—"In this, that he, Second Lieutenant *Edward P. Turner*, 10th Cavalry, did address and deliver, or cause to be delivered, to his company commander, (Captain A. S. B. Keyes, 10th Cavalry), the following communication, in words and figures as follows, viz:  
FORT CONCHO, TEXAS,  
July 30, 1875.

Captain A. S. B. Keyes,

Commanding D Co., 10th Cavalry,

Thro' Hd. Qrs. Post of Fort Concho, Texas.

Sir:

I have the honor to request an immediate explanation, through post headquarters, of the last paragraph in the letter transmitted to me accompanying a copy of the charges you preferred against me July 2, 1875; also, I would respectfully request that all your personal communications to me be forwarded through post headquarters hereafter.

Very respectfully,

Your ob'dt serv't,  
(Signed.) EDWD. TURNER,  
Second Lieut. 10th U. S. Cavalry.

which communication was disrespectful to his said company commander, Captain Keyes. This at Fort Concho, Texas, on the 30th July, 1875."

Specification 2nd—"In this, that he, Second Lieutenant *Edward P. Turner*, 10th Cavalry, having received an official communication from his company commander (Captain A. S. B. Keyes, 10th Cavalry) asking why six enlisted men of the company were ordered to report to his (Lieutenant *Turner's*) quarters, did, in answer to requests of the said Captain Keyes for an answer to the same, three times send to him, (the said Captain Keyes), by an enlisted man, a disrespectful answer, namely: that he would answer the letter when he got ready, or words to that effect. This at Fort Concho, Texas, on the 24th and 25th days of September, 1875."

Specification 3rd—"In this, that he, Second Lieutenant *Edward P. Turner*, 10th Cavalry, having received a communication from his company commander requesting to know why six enlisted men were ordered by Lieutenant *Turner* to report to him, did reply as follows:

'FORT CONCHO, TEXAS,  
September 25, 1875.

Captain A. S. B. Keyes,  
Sir:

As I have applied to the post commander for information as to whether I was compelled to *state a reason*, and as he has not said that I was compelled, I take it that you are not entitled to know 'why' I had these enlisted men at my quarters, but if I understand the commanding officer's endorsement it is my duty to have *his* or *your* permission to speak to an enlisted man in the future under a similar circumstance, consequently, I have the honor to state, in reply to your inquiry 'why' those men were ordered to my quarters 'without' your 'knowledge,' as unprecedented in my military experience.

Very respectfully,

Your obedient servant,

(Signed.)

EDWARD P. TURNER,  
Second Lieutenant 10th Cavalry.

which communication was disrespectful to his company commander, the said Captain Keyes, to whom it was sent. This at Fort Concho, Texas, on or about the 25th day of September, 1875."

CHARGE III—"Disobedience of orders."

*Specification 1st*—"In this, that he, Second Lieutenant E. P. Turner, 10th Cavalry, having, on or about the 23rd September, 1875, been ordered by his Captain, A. S. B. Keyes, 10th Cavalry—his superior officer and company commander—in the execution of his office, to state why he, Lieutenant Turner, ordered six men of his company (D, 10th Cavalry) to report to his, Lieutenant Turner's, quarters without his, Captain Keyes', knowledge, did refuse and fail to comply therewith. This at Fort Concho, Texas."

*Specification 2nd*—"In this, that he, Second Lieutenant Edward P. Turner, 10th Cavalry, having received an order from his superior officer and company commander, Captain A. S. B. Keyes, 10th Cavalry—in the execution of his office—to answer the communication referred to in the first specification to this charge within fifteen minutes, did refuse and fail to comply therewith. This at Fort Concho, Texas, on the 25th day of September, 1875."

CHARGE IV—"Conduct prejudicial to good order and military discipline."

*Specification 1st*—"In this, that he, Second Lieutenant Edward P. Turner, 10th Cavalry, having received an order from his company commander, Captain A. S. B. Keyes, commanding Co. D, 10th Cavalry, to answer a certain communication within fifteen minutes, and having been notified by his said company commander that the orderly bringing the order would await an answer, did tell the said orderly, an enlisted man of Co. D, 10th Cavalry, acting under the direction of his—the said Lieutenant Turner's—company commander, that he, the said orderly, need not wait there either fifteen minutes or two hours; that he (Lieutenant Turner) did not want him coming there, or words to that effect. This at Fort Concho, Texas, on the 25th September, 1875."

*Specification 2nd*—"In that he, Second Lieutenant Edward P. Turner, 10th Cavalry, having been notified by his company commander, Captain A. S. B. Keyes, 10th Cavalry, that afternoon stables would take place at half past four, supper immediately after, and a regimental parade immediately after supper, and especially enjoined not to be late, did at once, without permission and without notifying his company commander, leave the post and absent himself from said parade—he not being prevented by sickness or other evident necessity. This at Fort Concho, Texas, on or about the 1st day of July, 1875."

To which charges and specifications the accused pleaded "Not Guilty."

## FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first charge and its specifications,	"Not Guilty."
Of the first specification, second charge,	"Guilty."
Of the second specification, second charge,	"Not Guilty."
Of the third specification, second charge,	"Guilty."
Of the second charge,	"Guilty."
Of the first specification, third charge,	"Guilty."
Of the second specification, third charge, "Guilty of the facts as stated, but, under the circumstances, attaches no criminality thereto."	
Of the third charge,	"Guilty."
Of the first specification, fourth charge,	"Not Guilty."
Of the second specification, fourth charge, "Guilty, except the words 'at once,' and of the excepted words, not guilty."	
Of the fourth charge,	"Guilty."

## SENTENCE.

And the court does therefore sentence him, Second Lieutenant E. P. Turner, 10th Cavalry, "To be suspended from rank and command for the period of one (1) month, and to forfeit his pay for the same period, with the exception of fifty (50) dollars, and to be reprimanded in orders by the Department Commander."

II. The proceedings, findings, and sentence, in the foregoing case are approved, and the sentence will be duly executed.

If Lieutenant Turner has not lost his sense of duty, and can appreciate the military proverb that "to be fit to command one must learn to obey," he will profit by the sentence in his case, and will not consider it, as others may, entirely too light for the offence. Had an enlisted man been convicted of the offences of which he has been found guilty, at least six months pay would have been forfeited and a corresponding confinement at hard labor inflicted. The court, therefore, must have considered the reprimand as a punishment equivalent in its moral effect to a period of five months confinement and loss of pay in the case of an enlisted man.

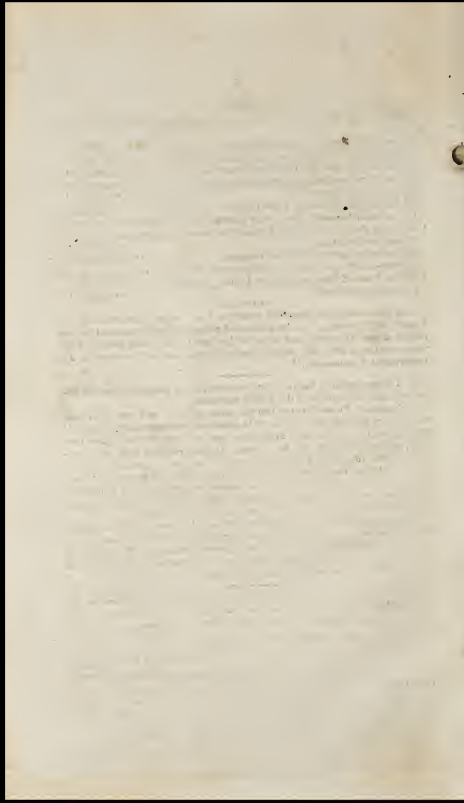
The Commanding General cannot measure the capacity of Lieutenant Turner's nature to appreciate the force of words; he therefore expects him to take to him-self just the amount of reprimand necessary for the moral effect which the court martial wished to produce, and believes him capable of doing this, and of profiting by his sentence.

III. The General Court Martial instituted per paragraph I, Special Orders No. 240, series of 1875, from these Headquarters, and of which Colonel H. B. CLITZ, 10th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL ORD:

J. H. TAYLOR,  
*Assistant Adjutant General.*

OFFICIAL:













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